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TITLE 3—THE PRESIDENT

PROCLAMATION 2751

CONVENING THE CONGRESS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the public interest requires that the Congress of the United States should be convened at twelve o'clock, noon, on Monday, the Seventeenth day of November, 1947, to receive such communication as may be made by the Executive;

NOW, THEREFORE, I, Harry S. Truman, President of the United States of America, do hereby proclaim and declare that an extraordinary occasion requires the Congress of the United States to convene at the Capitol in the City of Washington on Monday, the Seventeenth day of November, 1947, at twelve o'clock, noon, of which all persons who shall at that time be entitled to act as members thereof are hereby required to take notice.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the great seal of the United States.

DONE at the City of Washington this twenty-third day of October, in the year of our Lord nineteen hundred and forty-seven, and of the Independence of the United States of America the one hundred and seventy-second.

[SEAL]

HARRY S. TRUMAN

By the President:

ROBERT A. LOVETT,
Acting Secretary of State.

[F. R. Doc. 47-9621; Filed, Oct. 24, 1947; 10:33 a. m.]

TITLE 7—AGRICULTURE

Chapter VII—Production and Marketing Administration (Agricultural Adjustment)

[Bulletin NSCP—1201]

PART 706—NAVAL STORES CONSERVATION PROGRAM

SUBPART G—1948

Payments will be made for participation in the 1948 Naval Stores Conservation Program (hereinafter referred to as "this program") in accordance with the provisions of this bulletin and such modifications thereof as may hereafter be made. Payments are predicated upon the economic use and conservation of soil and timber resources on turpentine farms, and computed on the faces in the tract or drift where an approved conservation practice is carried out.

This program provides for payments for conservation practices only on turpentine farms having tracts or drifts of faces, which were installed during, or after, the 1945 season.

Sec.
706.901 General provisions.
706.902 Conservation practices and rates of payment.
706.903 General provisions relating to payments.
706.904 Total payments limited.
706.905 Application for payment.
706.906 Appeals.
706.907 Definitions.
706.908 Authority and availability of funds, and applicability.
706.909 Administration.

AUTHORITY: §§ 706.901 to 706.909, inclusive, issued under sec. 1, 49 Stat. 1148, as amended, 52 Stat. 746, as amended, 60 Stat. 663, Public Law 266, 80th Congress; 16 U. S. C. and Sup. 590g to 590q.

§ 706.901 *General provisions* — (a) *Loan and purchase programs.* Producers who participate in this program including those producers operating within the public domain (see § 706.908 (c)), will meet the conservation requirements of any loan or purchase programs which may be set up for producers during 1948.

(b) *Required performance.* Each participating producer shall, on every turpentine farm owned or operated by him during the 1948 turpentine season, carry out one of the approved conservation practices in every tract or drift of faces that were installed during the 1945, 1946, 1947, and 1948 seasons, unless prior written approval to install faces without carrying out a conservation practice is obtained from the Forest Service. Such approval will be limited to areas where the land is to be converted to other agricultural use, and no payment will be made for any faces in such areas.

(c) *Inspection assistance.* Each producer shall assist representatives of the Forest Service in the administration of

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THE PRESIDENT

EXECUTIVE AGENCIES

FEDERAL REGISTER

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such in parentheses.

CODIFICATION GUIDE—Con.

this program by: (1) Giving them free access to his turpentine farm or farms, (2) counting all faces and keeping written records thereof separately by tracts and drifts, (3) furnishing count records and satisfactory evidence of control of faces to the local Inspector when requested, (4) furnishing information on burned areas, cutting operations, and interest in other turpentine farms as requested, (5) furnishing competent labor to assist the local Inspector in counting faces, (6) submitting an application for payment (Form NSCP–1203) and other prescribed forms, (7) notifying the Forest Service promptly of any change in ownership or control, and (8) otherwise facilitating the work of the Inspector in checking compliance with the terms and conditions of this program.

(d) *Fire protection.* Each producer shall cooperate with any existing cooperative fire control system serving the general area where his turpentine farm is located, unless he is otherwise following good forest fire protection on his turpentine farm.

§ 706.902 *Conservation practices and rates of payment.* No tract or drift can qualify for more than one conservation practice. In each of the practices the faces are to be worked sufficiently to obtain at least one dipping of gum.

(a) *Installation of faces on trees selected by size; diameter cupping; 1¾¢ per face.* Payment for this practice is limited to tracts or drifts having only virgin working faces, i. e., faces installed for the first working during the 1948 season.

Performance: Trees on which faces are installed shall be selected in a manner that will result in having no faces (except back faces on trees having a worked-out face) on trees which are less than 9 inches d. b. h. and only one face on trees which are less than 14 inches d. b. h. If faces have been installed contrary to these requirements, the cups and tins for such faces shall be removed within 30 days after being discovered unless a longer period of time for their removal is approved by the Forest Service.

(b) *Continuation of faces on trees of proper size; ½¢ per face.* Payment for this practice is limited to tracts or drifts having faces installed during the 1945, 1946, and 1947 seasons, together with any new faces that may have been installed within such tracts or drifts during the 1948 season.

Performance: With the exception of back faces on trees having a worked-out face, the only faces that may be continued as working faces are those on trees which are at least 9 inches d. b. h., and not more than one face may be continued on any tree which is less than 14 inches d. b. h. The first streak of any new faces installed on round trees shall not exceed a height of 18 inches from the ground: *Provided, however,* That faces installed in the 1945 season which do not meet the above requirements, but were approved for payment under the 1947 program, will be accepted under this practice if such faces are still being worked in 1948. If faces have been installed contrary to the requirements of §§ 706.901 to 706.909, inclusive, the cups and tins on such faces shall be removed within 30 days after being discovered unless a longer period of time for their removal is approved by the Forest Service.

(c) *Installation of faces on trees selected by position; selective cupping; 4¢ per face.* Payment for this practice is limited to tracts or drifts having only virgin faces.

Performance: Trees on which faces are installed shall be selected in a manner that will result in leaving well distributed over the area at least as many round trees 9 inches or more d. b. h. uncupped as are cupped. The working area shall have a minimum of 25 uncupped round trees per acre which are 9 inches or more d. b. h. Under both of these conditions the cupped trees may be of any size. When these requirements are not met, the area will be considered for qualification under the diameter cupping practice.

(d) *Continuation of faces on selected trees; 2¢ per face.* Payment for this practice is limited to those tracts or drifts which qualified for the optional selective cupping practice in the 1945, 1946, or 1947 programs, or the restricted cupping practice in the 1945 or 1946 programs.

Performance: No new faces shall be installed on round trees in these tracts or drifts. If new faces have been installed on round trees, the entire drift or tract will be considered for qualification under the provisions of paragraph (b) of this section, and an amount equal to the amount previously paid for the optional practice(s) shall be deducted from payment(s) due the producer.

(e) *Pilot plant tests; 5¢ or 7¢ per face.* Payment under this practice will be limited to a small number of producers who are selected by the Forest Service to conduct controlled experiments in chemical stimulation. The 5¢ per face payment will apply to faces installed in accordance with the diameter cupping requirements. The 7¢ per face payment will apply to faces installed in accordance with the requirements for selective cupping.

Performance: The experiments are to be carried out in accordance with conditions prescribed by the Forest Service.

§ 706.903 *General provisions relating to payments*—(a) *Increase in small payments.* The total payment computed for any producer with respect to his turpentine farm shall be increased as follows:

(1) Any payment amounting to 71 cents or less shall be increased to $1.00;

(2) Any payment amounting to more than 71 cents but less than $1.00 shall be increased by 40 percent;

(3) Any payment amounting to $1.00 or more shall be increased in accordance with the following schedule:

Amount of payment computed:	*Increase in payment*
$1.00 to $1.99	$0.40
$2.00 to $2.99	.80
$3.00 to $3.99	1.20
$4.00 to $4.99	1.60
$5.00 to $5.99	2.00
$6.00 to $6.99	2.40
$7.00 to $7.99	2.80
$8.00 to $8.99	3.20
$9.00 to $9.99	3.60
$10.00 to $10.99	4.00
$11.00 to $11.99	4.40
$12.00 to $12.99	4.80
$13.00 to $13.99	5.20
$14.00 to $14.99	5.60
$15.00 to $15.99	6.00
$16.00 to $16.99	6.40
$17.00 to $17.99	6.80
$18.00 to $18.99	7.20
$19.00 to $19.99	7.60
$20.00 to $20.99	8.00
$21.00 to $21.99	8.20
$22.00 to $22.99	8.40
$23.00 to $23.99	8.60
$24.00 to $24.99	8.80
$25.00 to $25.99	9.00
$26.00 to $26.99	9.20
$27.00 to $27.99	9.40
$28.00 to $28.99	9.60
$29.00 to $29.99	9.80
$30.00 to $30.99	10.00
$31.00 to $31.99	10.20
$32.00 to $32.99	10.40
$33.00 to $33.99	10.60
$34.00 to $34.99	$10.80
$35.00 to $35.99	11.00
$36.00 to $36.99	11.20
$37.00 to $37.99	11.40
$38.00 to $38.99	11.60
$39.00 to $39.99	11.80
$40.00 to $40.99	12.00
$41.00 to $41.99	12.10
$42.00 to $42.99	12.20
$43.00 to $43.99	12.30
$44.00 to $44.99	12.40
$45.00 to $45.99	12.50
$46.00 to $46.99	12.60
$47.00 to $47.99	12.70
$48.00 to $48.99	12.80
$49.00 to $49.99	12.90
$50.00 to $50.99	13.00
$51.00 to $51.99	13.10
$52.00 to $52.99	13.20
$53.00 to $53.99	13.30
$54.00 to $54.99	13.40
$55.00 to $55.99	13.50
$56.00 to $56.99	13.60
$57.00 to $57.99	13.70
$58.00 to $58.99	13.80
$59.00 to $59.99	13.90
$60.00 to $185.99	14.00
$186.00 to $199.99	(1)
$200.00 and over	(2)

[1] Increase to $200.
[2] No increase.

(b) *Practices defeating purposes of programs.* If the Forest Service finds that any producer has adopted or participated in any practice which tends to defeat the purposes of this program or previous programs, it may withhold or require to be refunded all or any part of any payment which has been or otherwise would be made to such producer under this program. Practices which tend to defeat the purposes of this and previous programs shall include, but are not restricted to, the following:

(1) The cutting contrary to good forestry practice of turpentine trees in drifts or tracts (including current nonworking areas) on which conservation payments have been or would be made under this or the 1945, 1946, or 1947 programs. There may be withheld or required to be refunded the amount earned under this program, if any, plus the amount paid under the 1945, 1946, and 1947 programs on the tracts or drifts in which such cutting occurs, or the total amount earned under this program, whichever amount is smaller. Conformity to the following rules shall be considered good cutting practice:

Round or scarred turpentine trees should only be cut for thinnings or higher economic use. When such trees are cut for thinnings at least 150 trees per acre of approximately the same size as the trees which are cut should be left uncut and undamaged and well distributed over the cutting area.

(ii) When an area contains less than 130 round or scarred turpentine trees per acre which are 8 feet or more in height, at least six thrifty turpentine seed trees per acre, 10 inches or more d. b. h., shall be left uncut and undamaged.

(iii) When round or scarred trees are cut for higher economic use, such as high-quality timbers, poles, or piling, at least six thrifty turpentine seed trees per acre, 10 inches or more d. b. h., shall be left uncut and undamaged.

(2) The burning by the producer on any drift or tract of his turpentine farm

which will destroy natural reforestation on land which is not fully stocked with turpentine trees or which will result in damage to established turpentine tree reproduction. There may be withheld or required to be refunded all or any part of the payment earned on the drifts or tracts in which such improper burning occurs.

(3) The installation of new faces on round trees less than 9 inches d. b. h. or more than one face on round trees less than 14 inches d. b. h. in tracts or drifts having working faces installed during or prior to the 1944 turpentine season. There may be withheld, or required to be refunded, the amount of the conservation payments made under all previous programs for all the working faces in the tract or drift, or the total payment under this program, whichever is smaller.

(c) *Payment computed and made without regard to claims.* Any payment or share of payment shall be computed and made without regard to questions of title under State law; without deduction of claims for advances (except as provided in paragraph (d) of this section, and except for indebtedness to the United States subject to set-off under orders issued by the Secretary (12 F. R. 1187)) and without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.

(d) *Assignments.* Any producer who may be entitled to any payment in connection with this program may assign his payment, in whole or in part, as security for cash loaned or advances made for the purpose of financing the making of a crop in 1948. No assignment will be recognized unless it is made in writing on Form ACP–69 in accordance with the applicable instructions (ACP–70), witnessed, however, by an inspector or the program supervisor of the Forest Service and filed with the Forest Service, Valdosta, Georgia.

(e) *Death, incompetency, or disappearance of producer.* In case of death, incompetency, or disappearance of any producer, his share of the payment shall be paid to his successor, determined in accordance with the provisions of the regulations in ACP–122, as amended. (5 F. R. 2875; 6 F. R. 1647, 4430; 9 F. R. 12237)

§ 706.904 *Total payments limited*—(a) *Payments limited to $500.* The total of all payments made in connection with the 1948 Naval Stores Conservation Program and the 1948 Agricultural Conservation Program to any producer participating in said program(s) shall not exceed the sum of $500.

(b) *Evasion.* All or any part of any payment which has been or otherwise would be made to any producer participating in this program may be withheld or required to be refunded if he has adopted or participated in adopting any scheme or device designed to evade, or which has the effect of evading, the provisions of this section.

§ 706.905 *Application for payment*—(a) *Persons eligible to file applications.* An application for payment may be filed by any producer who is working faces for the production of gum naval stores, during the 1948 turpentine season, which were installed during or after the 1945 season. If one producer conducts the operation of a turpentine farm during a portion of the 1948 turpentine season and another producer conducts the operation of the turpentine farm during the remainder of the season, the producer who completes the conservation practices shall file the application.

(b) *Time and manner of filing applications and information required.* Payments will be made only when a report of performance is submitted on or before January 15, 1949, on the prescribed form (NSCP–1203) to the Forest Service. Payment may be withheld from any producer who fails to file any form or furnish any information required with respect to any turpentine farm which is being operated by him.

§ 706.906 *Appeals.* Any producer may, within 15 days after notice thereof is forwarded to or made available to him, request the regional forester in writing to review the recommendation or determination of the program supervisor in any matter affecting the right to or the amount of payment with respect to the producer's turpentine farm. The regional forester shall notify the producer of his decision in writing within 30 days after the submission of the appeal. If the producer is dissatisfied with the decision of the Regional Forester he may, within 15 days after the decision is forwarded to or made available to him, request the American Turpentine Farmers Association Cooperative, Valdosta, Georgia, in writing to appoint a committee of fellow producers to review the case. If the committee does not concur with the decision of the regional forester, the producer may request the Chief of the Forest Service to review the case and render his decision, which shall be final.

§ 706.907 *Definitions*—(a) *Gum naval stores.* Crude gum (oleoresin), gum turpentine and gum rosin produced from living trees.

(b) *Producer.* Any person, firm, partnership, corporation, or other business enterprise, doing business as a single legal entity, producing gum naval stores from turpentine trees controlled through fee ownership, cash lease, percentage lease, share lease, or other form of control.

(c) *Turpentine tree.* Any tree of either of the two species, longleaf pine (Pinus palustris) or slash pine (Pinus caribaea).

(d) *Turpentine farm.* This includes (1) land growing turpentine trees, owned or leased by a producer in one general locality, which are currently being worked for gum naval stores, hereinafter referred to as a working area; and (2) all commercially valuable or potentially valuable forest land, if any, owned by a producer which is growing turpentine trees that are not being currently worked for gum naval stores, hereinafter referred to as a nonworking area.

(e) *Tract.* A portion of a working area having a continuous stand of trees supporting faces of one age class or intermingled age classes.

(f) *Drift.* A portion or subdivision of a tract set apart for convenience of operation or administration.

(g) *Crop.* 10,000 faces.

(h) *Face.* The whole wound or aggregate of streaks made by chipping, streaking, or pulling the live tree to stimulate the flow of crude gum (oleoresin), hereinafter referred to as gum.

(i) *Cup.* A container made of metal, clay, or other material hung on or below the face to accumulate the flow of gum.

(j) *Tins.* The gutters or aprons, made of sheet metal or other material, used to conduct the gum from a face into a cup.

(k) *D. B. H.* Diameter breast height; i. e., diameter of tree measured 4½ feet from the ground.

(l) *Round tree.* Any tree which has not been faced or scarred.

(m) *Scarred tree.* A tree having an idle face not over 36 inches in vertical measurement from the shoulder of the first streak to the shoulder of the last streak.

(i) *Worked-out face.* An idle face which is 60 inches or more in vertical measurement between the shoulder of the first streak and the shoulder of the last streak, or a dry face.

§ 706.908 *Authority and availability of funds, and applicability*—(a) *Authority.* This program is approved pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended.

(b) *Availability of funds.* The provisions of this program are necessarily subject to such legislation affecting said program as the Congress of the United States may hereafter enact; the making of the payments herein provided for is contingent upon such appropriation as the Congress may hereafter provide for such purpose; and the amounts of such payments will be finally determined by such appropriation and by the extent of participation in this program.

The funds provided for this program will not be available for the payment of applications filed after December 31, 1949.

(c) *Applicability.* The provisions of this program are not applicable to any turpentining operations within the public domain of the United States, including the lands and timber owned by the United States which were acquired or reserved for conservation purposes, or which are to be retained permanently under Government ownership (such lands include, but are not limited to, lands owned by the United States which are administered by the Forest Service or the Soil Conservation Service of the Department of Agriculture, or by the Bureau of Land Management, or the Fish and Wildlife Service of the Department of the Interior).

This program is applicable to turpentine farms on lands owned by a State or a political subdivision or agency thereof, or owned by corporations which are either partly or wholly owned by the United States provided such lands are temporarily under such government or corporation ownership and are not acquired or reserved for conservation purposes. Only turpentine farms on lands

that are administered by the Farmers Home Administration, the Reconstruction Finance Corporation, the Home Owners' Loan Corporation, or the Federal Farm Mortgage Corporation, Federal Land Banks, Production Credit Associations, or the Departments comprising The National Military Establishment, shall be considered eligible unless the Forest Service finds that land administered by any other agency complies with all of the foregoing provisions for eligibility.

§ 706.909 *Administration.* The Forest Service shall have charge of the administration of this program and is hereby authorized to prepare and to issue such bulletins, instructions, and forms (subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942), and to make such determinations as may be required to administer this program, pursuant to the provisions of this bulletin; and the field work shall be administered by the Forest Service through the office of the Regional Forester, United States Forest Service, Glenn Building, Atlanta, Georgia. The procedural requirements of this bulletin, such for example as those relating to notice of proposed action and consent thereto, may be waived by the Forest Service when in its judgment such waiver does not otherwise materially affect compliance with program practices. Information concerning this program may be secured from the Forest Service, Valdosta, Georgia, or from any local Inspector of the Forest Service.

NOTE: The record keeping and reporting requirements in this bulletin have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942, Bureau of the Budget No. 40-R 1159.3.

Issued at Washington, D. C., this 21st day of October 1947.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 47-9549; Filed, Oct. 24, 1947; 8:46 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders)

PART 930—MILK IN THE TOLEDO, OHIO, MARKETING AREA

MISCELLANEOUS AMENDMENTS

§ 930.0 *Finding and determinations*—(a) *Findings upon the basis of the hearing record.* Pursuant to Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), and the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR, Supps., 900.1, et seq.; 11 F. R. 7737; 12 F. R. 1159, 4904), a public hearing was held on July 24-25, 1947, upon a proposed marketing agreement and to proposed amendments to the order, as amended, regulating the handling of milk in the Toledo, Ohio, marketing area; and the decision was made, with respect to the amendments by the Secretary on October 2, 1947.

Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended and as hereby further amended, and all of the terms and conditions of said order, as amended and as hereby further amended, will tend to effectuate the declared policy of the act;

(2) The prices calculated to give milk produced for sale in said marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 8 (e) of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supplies of and demand for such milk, and the minimum prices specified in the order, as amended and as hereby further amended, are such prices as well reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order, as amended and as hereby further amended, regulates the handling of milk in the same manner as, and is applicable only to the persons in the respective classes of industrial and commercial activity, specified in a marketing agreement upon which hearings have been held.

The foregoing findings are supplementary and in addition to the findings made in connection with the issuance of the aforesaid order and the findings made in connection with the issuance of each of the previously issued amendments thereto; and all of said previous findings are hereby ratified and affirmed except insofar as such findings may be in conflict with the findings set forth herein.

(b) *Additional findings.* It is necessary, in the public interest, to make the amendments hereafter set forth effective by not later than November 1, 1947, the beginning of the November pool, so as to reflect current marketing conditions and to give to producers an immediate assurance of a "floor" price, below which the price cannot fall, as an incentive to a needed increase in milk production during the fall and winter months of 1947-48. Any delay beyond November 1, 1947, in the effective date of such amendments to the order, as amended, will seriously threaten the supply of milk in the Toledo, Ohio, marketing area. The need for these amendments is also disclosed in the decision (12 F. R. 6618) which was executed on October 2, 1947. These amendments are well known to the handlers—the hearing having been held on these amendments on July 24 and 25, 1947, the recommended decision having been published in the FEDERAL REGISTER on September 4, 1947, and the final decision having been executed by the Secretary on October 2, 1947; and a reasonable time is permitted, under the circumstances, for preparation for such effective date. It is hereby found and determined, in view of these facts and circumstances, that good cause exists for making these amendments effective on November 1, 1947; and that it would be contrary to the public interest to delay the effective date of the amendments to a date later than November 1, 1947.

(c) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping the milk covered by this order, as amended) of more than 50 percent of the volume of milk covered by this order, as amended and as hereby further amended, which is marketed within the Toledo, Ohio, marketing area, refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area; and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said proposed marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order, amending the order as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order, further amending the aforesaid order, as amended, is approved or favored by at least two-thirds of the producers who, during the determined representative period (July, 1947), were engaged in the production of milk for sale in the said marketing area.

It is hereby ordered, That on and after the effective date hereof, the handling of milk in the Toledo, Ohio, marketing area shall be in conformity to, and in compliance with, the terms and conditions of the aforesaid order, as amended and as hereby further amended; and the aforesaid order, as amended, is hereby further amended as follows:

1. Delete from § 930.1 (1) the words "other than cottage cheese."

2. Delete § 930.4 (b) (2) and substitute therefor the following:

(2) Class II milk shall be all skim milk and butterfat disposed of as sweet or sour cream; any cream product in fluid form which contains less than the minimum butterfat required for fluid cream; or eggnogg.

3. At the end of § 930.5 (a) (1) add the following: *"Provided,* That in no event shall such Class I milk price for each of the months from the effective date of this order through December 1947 be less than $4.65; *Provided further,* That such Class I milk price for each of the months of January and February 1948 shall not be less than such price for the preceding month minus 44 cents."

(48 Stat. 31, 670, 675; 49 Stat. 750; 60 Stat. 246; 7 U. S. C. 60, et seq.; sec. 102, Reorg. Plan 1 of 1947, 12 F. R. 4534)

Issued at Washington, D. C., this 21st day of October 1947, to be effective on and after the 1st day of November 1947.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 47-9527; Filed, Oct. 24, 1947; 8:47 a. m.]

[Grapefruit Reg. 90]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.356 *Grapefruit Regulation 90*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR, Cum. Supp., 933.1 et seq.; 11 F. R. 9471), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and the 30-day effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong.; 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., October 27, 1947, and ending at 12:01 a. m., e. s. t., November 10, 1947, no handler shall ship:

(i) Any grapefruit of any variety, grown in the State of Florida, which grade U. S. Combination Russet, U. S. No. 2 Russet, U. S. No. 3, or lower than U. S. No. 3 grade (as such grades are defined in the United States standards for citrus fruits, as amended (12 F. R. 6277);

(ii) Any seeded grapefruit, other than pink grapefruit, grown in the State of Florida which are of a size smaller than a size that will pack 80 grapefruit, packed in accordance with the requirements of a standard pack (as such pack is defined in the aforesaid amended United States standards), in a standard box (as such box is defined in the standards for containers for citrus fruit established by the Florida Citrus Commission pursuant to section 3 of Chapter 20449, Laws of Florida, Acts of 1941 (Florida Laws Annotated § 595.09));

(iii) Any seedless grapefruit, other than pink grapefruit, grown in the State of Florida which are of a size smaller than a size that will pack 96 grapefruit, packed in accordance with the requirements of a standard pack (as such pack is defined in the aforesaid amended United States standards), in a standard box (as such box is defined in the aforesaid standards for containers for citrus fruit); or

(iv) Any pink grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 126 grapefruit, packed in accordance with the requirements of a standard pack (as such pack is defined in the aforesaid amended United States standards), in a standard box (as such box is defined in the aforesaid standards for containers for citrus fruit).

(2) As used herein, "variety," "handler," and "ship" shall have the same meaning as is given to each such term in said amended marketing agreement and order.

(48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 23d day of October 1947.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 47-9603; Filed, Oct. 24, 1947; 10:48 a. m.]

[Orange Reg. 127]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.357 *Orange Regulation 127*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR, Cum. Supp., 933.1 et seq., 11 F. R. 9471), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and the 30-day effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., October 27, 1947, and ending at 12:01 a. m., e. s. t., November 10, 1947, no handler shall ship:

(i) Any oranges, except Temple oranges, grown in the State of Florida which grade U. S. Combination Russet, U. S. No. 2 Russet, U. S. No. 3, or lower than U. S. No. 3 grade (as such grades are defined in the United States standards for citrus fruits, as amended (12 F. R. 6277); or

(ii) Any oranges, except Temple oranges, grown in the State of Florida which are of a size smaller than a size that will pack 250 oranges, packed in accordance with the requirements of a standard pack (as such pack is defined in the aforesaid amended United States standards), in a standard box (as such box is defined in the standards for containers for citrus fruit established by the Florida Citrus Commission pursuant to section 3 of Chapter 20449, Laws of Florida, Acts of 1941 (Florida Laws Annotated § 595.09)).

(2) As used herein, "handler" and "ship" shall have the same meaning as is given to each such term in said amended marketing agreement and order.

(48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 23d day of October 1947.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 47-9604; Filed, Oct. 24, 1947; 10:48 a. m.]

[Lemon Reg. 245]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.352 *Lemon Regulation 245*—(a) *Findings.* (1) Pursuant to the marketing agreement and Order No. 53 (7 CFR, Cum. Supp., 953.1 et seq.), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and the 30-day effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong, 2d Sess.; 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., October 26, 1947,

and ending at 12:01 a m., P. s. t., November 2, 1947, is hereby fixed at 200 carloads, or an equivalent quantity.

(2) The prorate base of each handler who has made application therefor, as provided in the said marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "carloads," and "prorate base" shall have the same meaning as is given to each such term in the said marketing agreement and order.

(48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 23d day of October 1947.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

PRORATE BASE SCHEDULE

[12:01 A. M., Oct. 26, 1947, to 12:01 A. M., Nov. 9, 1947]

Handler	Prorate base (percent)
Total	100.000
Allen-Young Citrus Packing Co	.000
American Fruit Growers, Fullerton	.065
American Fruit Growers, Lindsay	.000
American Fruit Growers, Upland	.278
Consolidated Citrus Growers	.007
Corona Plantation Co	.266
Hazeltine Packing Co	.398
McKellips, C. H.—Phoenix Citrus Co	.126
McKellips Mutual Citrus Growers, Inc	.094
Phoenix Citrus Packing Co	.063
Ventura Coastal Lemon Co	3.347
Ventura Pacific Co	1.934
Total A. F. G	6.578
Arizona Citrus Growers	.200
Desert Citrus Growers Co., Inc	.214
Mesa Citrus Growers	.174
Klink Citrus Association	.206
Lemon Cove Association	.188
Glendora Lemon Growers Association	1.452
La Verne Lemon Association	.524
La Habra Citrus Association	.525
Yorba Linda Citrus Association, The	.314
Alta Loma Heights Citrus Association	.401
Etiwanda Citrus Fruit Association	.187
Mountain View Fruit Association	.398
Old Baldy Citrus Association	1.053
Upland Lemon Growers Association	5.054
Central Lemon Association	.089
Irvine Citrus Association, The	.204
Placentia Mutual Orange Association	.239
Corona Citrus Association	.156
Corona Foothill Lemon Co	.771
Jameson Co	.610
Arlington Heights Fruit Company	.160
College Heights Orange and Lemon Association	4.184
Chula Vista Citrus Association, The	1.241
El Cajon Valley Citrus Association	.009
Escondido Lemon Association	1.681
Fallbrook Citrus Association	1.120
Lemon Grove Citrus Association	.073
San Dimas Lemon Association	1.274
Carpinteria Lemon Association	4.421
Carpinteria Mutual Citrus Association	4.670
Goleta Lemon Association	4.790
Johnston Fruit Co	8.391
North Whittier Heights Citrus Association	.255
San Fernando Heights Lemon Association	1.274
San Fernando Lemon Association	.200
Sierra Madre-Lamanda Citrus Association	1.183
Tulare County Lemon & Grapefruit Association	.346
Briggs Lemon Association	3.571
Culbertson Investment Co	1.174
Culbertson Lemon Association	.883
Fillmore Lemon Association	.924
Oxnard Citrus Association:	
No. 1	4.370
No. 2	3.176
Rancho Sespe	.505
Santa Paula Citrus Fruit Association	2.712
Saticoy Lemon Association	5.115
Seaboard Lemon Association	6.202
Somis Lemon Association	3.392
Ventura Citrus Association	2.580
Limoneira Co	2.569
Teague-McKevett Association	.517
East Whittier Citrus Association	.182
Leffingwell Rancho Lemon Association	.123
Murphy Ranch Co	.329
Whittier Citrus Association	.176
Whittier Select Citrus Association	.210
Total C. F. G. E	86.941
Arizona Citrus Products Co	.107
Chula Vista Mutual Lemon Association	.831
Escondido Cooperative Citrus Association	.167
Glendora Cooperative Citrus Association	.025
Index Mutual Association	.014
La Verne Cooperative Citrus Association	1.789
Libbey Fruit Co	.117
Orange Cooperative Citrus Association	.135
Pioneer Fruit Co	.007
Tempe Citrus Co	.000
Ventura Co. Orange & Lemon Association	1.863
Whittier Mutual Orange & Lemon Association	.000
Total M. O. D	5.055
Abbate, Chas. Co., The	.000
California Citrus Groves Inc., Ltd	.047
Evans Bros. Packing Co.:	
Riverside	.014
Sentinel Butte Ranch	.000
Harding & Leggett	.328
Howell, Ira E., Fruit & Produce, Inc	.117
Leppla-Pratt, Produce Distributors Inc	.165
Morris Bros. Fruit Co	.000
Orange Belt Fruit Distributors	.651
Potato House, The	.000
San Antonio Orchard Co	.044
Sun Valley Packing Co	.000
Valley Citrus Packing Co	.000
Verity, R. H., Sons & Co	.060
Western States Fruit & Produce Co	.000
Total Independents	1.426

[F. R. Doc. 47-9605; Filed, Oct. 24, 1947; 10:48 a. m.]

PART 960—IRISH POTATOES GROWN IN MICHIGAN, WISCONSIN, MINNESOTA, AND NORTH DAKOTA

SUSPENSION OF GENERAL CULL REGULATION IN PORTION OF PRODUCTION AREA

§ 960.303 *Suspension of general cull regulation in a portion of the production area.* Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 1940 ed. 601 et seq.), hereinafter referred to as the "act", and Marketing Order No. 60, effective pursuant to the act, regulating the handling of Irish potatoes grown in the States of Michigan, Wisconsin, Minnesota, and North Dakota, it is hereby found and determined: (a) That the general cull regulation (12 F. R. 6256) effective September 22, 1947, obstructs or no longer tends to effectuate the policy of the act, during the period of time hereinafter stated, with respect to shipments of Irish potatoes grown in the State of Wisconsin, and (2) that compliance with the notice and public rule making procedure requirements of the Administrative Procedure Act (Public Law 404, 79th Cong.; 60 Stat. 237) is impracticable, unnecessary and contrary to the public interest in that the time intervening between the date when the recommendation and information, upon which the proposed order hereinafter set forth is based, became available and the time when such order must become effective, in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance and, because the procedure established in Order No. 60 for the formulation of the suspension recommendation of the North Central Potato Committee assures, on a representative basis, consideration being given to the views of all handlers and producers affected by said Order prior to the submission of such recommendation.

Now, therefore, it is hereby ordered that the general cull regulation (12 F. R. 6256) be, and the same hereby is, suspended from 12:01 a. m., c. s. t., October 28, 1947, to 12:01 a. m., c. s. t., November 16, 1947, with respect to shipments of Irish potatoes grown in the State of Wisconsin, except that inspection and certification as provided in § 960.6, and assessments, as provided in § 960.12 of Order No. 60, shall not be suspended.

As used in this section the terms "shipment" and "regulation" shall have the same meaning as when used in Marketing Order No. 60. (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.).

Done at Washington, D. C., this 23d day of October 1947.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 47-9614; Filed, Oct. 24, 1947; 10:03 a. m.]

[Orange Reg. 201]

PART 966—ORANGES GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 966.347 *Orange Regulation 201*—(a) *Findings.* (1) Pursuant to the provisions of Order No. 66 (7 CFR, Cum. Supp., 966.1 et seq.), regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of

the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and the 30-day effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 2d Sess., 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

(b) *Order.* (1) The quantity of oranges grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., October 26, 1947, and ending at 12:01 a. m., P. s. t., November 2, 1947, is hereby fixed as follows:

(i) *Valencia oranges.* (*a*) Prorate District No. 1, unlimited movement; (*b*) Prorate District No. 2, 1700 carloads; and (*c*) Prorate District No. 3, unlimited movement.

(ii) *Oranges other than Valencia oranges.* Prorate Districts Nos. 1, 2, and 3, no movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used herein, "handled," "handler," "carloads," and "prorate base" shall have the same meaning as is given to each such term in the said order; and "Prorate District No. 1," "Prorate District No. 2," and "Prorate District No. 3" shall have the same meaning as is given to each such term in § 966.107 of the rules and regulations (11 F. R. 10258) issued pursuant to said order.

(48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 23d day of October 1947.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

PRORATE BASE SCHEDULE

[12:01 A. M. Oct. 26, 1947 to 12:01 A. M. Nov. 2, 1947]

VALENCIA ORANGES

Prorate District No. 2

Handler	(*Prorate base (percent)*)
Total	100.0000
A. F. G. Alta Loma	.0000
A. F. G. Fullerton	1.0125
A. F. G. Orange	.6349

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	*Prorate base (percent)*
A. F. G. Redlands	0.2499
A. F. G. Riverside	.1457
A. F. G. San Juan Capistrano	.0000
A. F. G. Santa Paula	.4049
Corona Plantation Company	.2538
Hazeltine Packing Company	.4235
Placentia Pioneer Valley Growers Association	.7090
Signal Fruit Association	.0843
Azusa Citrus Association	.4632
Azusa Orange Co., Inc	.1438
Damerel-Allison Co	.9094
Glendora Mutual Orange Association	.4018
Irwindale Citrus Association	.3094
Puente Mutual Citrus Association	.2214
Valencia Heights Orchards Association	.4725
Glendora Citrus Association	.0000
Glendora Heights Orange & Lemon Growers Association	.0634
Gold Buckle Association	.6270
La Verne Orange Association	.6466
Anaheim Citrus Fruit Association	1.4958
Anaheim Valencia Orange Association	1.5448
Eadington Fruit Co., Inc	2.1948
Fullerton Mutual Orange Association	1.7499
La Habra Citrus Association	1.0938
Orange County Valencia Association	.7454
Orangethorpe Citrus Association	1.2053
Placentia Coop. Orange Association	.0000
Yorbo Linda Citrus Association, The	.6550
Alta Loma Heights Citrus Association	.0000
Citrus Fruit Growers	.1579
Cucamonga Citrus Association	.0000
Etiwanda Citrus Fruit Association	.0270
Old Baldy Citrus Association	.1311
Rialto Heights Orange Growers	.1021
Upland Citrus Association	.0000
Upland Heights Orange Association	.0000
Consolidated Orange Growers	2.1226
Frances Citrus Association	1.0390
Garden Grove Citrus Association	1.7442
Goldenwest Citrus Association, The	1.5553
Irvine Valencia Growers	2.5760
Olive Heights Citrus Association	1.8547
Santa Ana-Tustin Mutual Citrus Association	1.0470
Santiago Orange Growers Association	4.1569
Tustin Hills Citrus Association	1.8950
Villa Park Orchs. Association, The	1.9711
Andrews Bros., Inc	.5112
Bradford Bros., Inc	.7110
Placentia Mutual Orange Association	1.8459
Placentia Orange Growers Association	2.6675
Call Ranch	.0755
Corona Citrus Association	.4801
Jameson Company	.0494
Orange Heights Orange Association	.3695
Break & Son, Allen	.0595
Bryn Mawr Fruit Growers Association	.2781
Crafton Orange Growers Association	.4120
East Highlands Citrus Association	.0904
Fontana Citrus Association	.0960
Highland Fruit Growers Association	.0000
Krinard Packing Co	.2864
Mission Citrus Association	.1450
Redlands Cooperative Fruit Association	.4270
Redlands Heights Groves	.3229
Redlands Orange Growers Association	.2746

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	*Prorate base (percent)*
Redlands Orangedale Association	0.2980
Redlands Select Groves	.1695
Rialto Citrus Association	.1583
Rialto Orange Co	.1578
Southern Citrus Association	.2238
United Citrus Growers	.1519
Zilen Citrus Co	.0050
Andrews Bros. of Calif	.1425
Arlington Heights Fruit Co	.1323
Brown Estate, L. V. W	.1496
Gavilan Citrus Association	.1532
Hemet Mutual Groves	.1086
Highgrove Fruit Association	.0761
McDermont Fruit Co	.1865
Mentone Heights Association	.0764
Monte Vista Citrus Association	.0456
National Orange Co	.0268
Riverside Heights Orange Growers Association	.0589
Sierra Vista Packing Association	.0599
Victoria Avenue Citrus Association	.1846
Claremont Citrus Association	.1472
College Heights Orange & Lemon Association	.2175
El Camino Citrus Association	.0000
Indian Hill Citrus Association	.1846
Pomona Fruit Growers Exchange	.3730
Walnut Fruit Growers Association	.4530
West Ontario Citrus Association	.3796
El Cajon Valley Citrus Association	.0000
Escondido Orange Association	2.5363
San Dimas Orange Growers Association	.5279
Covina Citrus Association	1.1187
Covina Orange Growers Association	.4297
Duarte-Monrovia Fruit Exchange	.0000
Santa Barbara Orange Association	.0000
Ball & Tweedy Association	.6410
Canoga Citrus Association	.8898
North Whittier Heights Citrus Association	.9369
San Fernando Fruit Growers Association	.4557
San Fernando Heights Orange Association	.9995
Sierra Madre-Lamanda Citrus Association	.0000
Camarillo Citrus Association	1.5563
Fillmore Citrus Association	3.4742
Mupu Citrus Association	2.6238
Ojai Orange Association	.9895
Piru Citrus Association	2.0599
Santa Paula Orange Association	1.0013
Tapo Citrus Association	.9813
Limoneira Company	.0000
East Whittier Citrus Association	.4198
El Ranchito Citrus Association	1.3018
Murphy Ranch Co	.4494
Rivera Citrus Association	.5679
Whittier Citrus Association	.7846
Whittier Select Citrus Association	.4902
Anaheim Cooperative Orange Association	1.4394
Bryn Mawr Mutual Orange Association	.1087
Chula Vista Mutual Lemon Association	.0955
Escondido Cooperative Citrus Association	.3466
Euclid Avenue Orange Association	.4405
Foothill Citrus Union, Inc	.0345
Fullerton Cooperative Orange Association	.0000
Garden Grove Orange Cooperative, Inc	.8138
Glendora Cooperative Citrus Association	.0603
Golden Orange Groves, Inc	.3185
Highland Mutual Groves	.0654
Index Mutual Groves	.0000
La Verne Cooperative Citrus Association	1.4798
Olive Hillside Groves	.7541

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
Orange Cooperative Citrus Association	1.2047
Redlands Foothill Groves	.5255
Redlands Mutual Orange Association	.0000
Riverside Citrus Association	.0774
Ventura County Orange & Lemon Association	.9448
Whittier Mutual Orange & Lemon Association	.2193
Babijuice Corp. of California	.0000
Banks Fruit Co	.2491
Banks, L. M	.5577
Borden Fruit Co	1.0198
California Fruit Distributors	.3413
Cherokee Citrus Co., Inc	.1379
Chess Company, Meyer W	.2829
Escondido Avocado Growers	.0454
Evans Brothers Packing Co	.4447
Furr, N. C	.0155
Gold Bannee Association	.3050
Granada Packing House	.0505
Granada Packing House	2.4853
Hill, Fred A	.0818
Inland Fruit Dealers	.0774
Mills, Edward	.0000
Orange Belt Fruit Distributors	2.2745
Panno Fruit Company, Carlo	.0663
Paramount Citrus Association	.5832
Placentia Orchards Co	.5030
San Antonio Orchards Co	.4972
Santa Fe Groves Co	.0528
Snyder & Sons Co., W. A	1.0016
Stephens, T. F	.0775
Sunny Hills Ranch, Inc	.0972
Ventura County Citrus Association	.0000
Verity & Sons Co., R. H	.0375
Wall, E. T	.1362
Webb Packing Co	.3200
Western Fruit Growers, Inc., Reds	.6889
Yorba Orange Growers Association	.6811

[F. R. Doc. 47-9606; Filed, Oct. 24, 1947; 10:48 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 51776]

PART 10—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

EXEMPTIONS ACCORDED PUBLIC INTERNATIONAL ORGANIZATIONS

Section 10.30a, Customs Regulations of 1943 (19 CFR 10.30a), as amended by T. D. 51667 (12 F. R. 2383) and T. D. 51713 (12 F. R. 4450), is hereby further amended as follows:

1. Paragraph (a) is amended by deleting the word "and" before "The International Telecommunication Union," by changing the period thereafter to a comma, and by adding the following: "The Preparatory Commission for the International Refugee Organization, and the International Refugee Organization."

2. The first sentence of footnote 33b is amended to read as follows:

Executive Orders Nos. 9698, 9751, 9823, 9863, and 9887, dated February 19, 1946, July 11, 1946, January 24, 1947, May 31, 1947, and August 22, 1947, respectively.

(Secs. 498, 624, 46 Stat. 728, 759, 59 Stat. 669; 19 U. S. C., 1498, 1624, 22 U. S. C., Sup. 288b, E. O. 9698, February 19, 1946, 11 F. R. 1809, E. O. 9751, July 11, 1946, 11 F. R. 7713, E. O. 9823, January 24, 1947, 12 F. R. 551, E. O. 9863, May 31, 1947, 12 F. R. 3559, E. O. 9887, August 12, 1947, 12 F. R. 5723)

FRANK DOW,
Acting Commissioner of Customs.

Approved: October 17, 1947.

E. H. FOLEY, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 47-9530; Filed, Oct. 24, 1947; 8:46 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices, Department of the Treasury

PART 54—REGULATIONS ISSUED UNDER THE GOLD RESERVE ACT OF 1934

MISCELLANEOUS AMENDMENTS

On July 31, 1947 a notice of proposed rule making was inserted in the FEDERAL REGISTER (12 F. R. 5185) relative to proposed amendments relating to the export of gold and reexport of gold refined from imported gold-bearing materials. Pursuant to that notice a hearing was held on August 11, 1947 at which all interested parties were given an opportunity to present their views. After consideration of the proposal set forth in the aforementioned notice and all relevant views and material submitted, it is hereby found and determined that:

1. Despite the requirement of detailed affidavits from the consignee of gold and such investigation as is possible in foreign areas, some bar gold licensed for exportation from the United States for use in industry, profession or art has been used for hoarding and other purposes contrary to the provisions of the gold regulations.

2. The International Monetary Fund has requested each of its member countries to take effective action to prevent transactions in gold at premium prices with other countries or with nationals of other countries. The United States fully supports this effort of the Monetary Fund to eliminate premium price gold transactions which, in many instances, take place in violation of foreign law.

3. Some industrial exports of bar gold have been diverted to premium price markets.

4. Exports from the United States of gold refined from imported gold-bearing material have been directed to premium price markets and United States refiners have been participating in these transactions as authorized by the present gold regulations.

5. The following amendments numbered 2 (a), 2 (b), 9 and 10 will tend to carry out the policy of the United States to permit exportations of domestic gold only for industrial, professional or artistic use and to restrict the participation of United States residents and business enterprises in gold transactions at premium prices but will permit United States refiners to refine foreign gold ore on an agency basis.

Amendments 1, 2 (c), 2 (d), 3, 4, 5, 6, 7, 8, 11, 12, 13, and 14 are being made without notice and public procedure thereon in accordance with the Administrative Procedure Act. (Pub. Law 404, 79th Cong.; 60 Stat. 237) because such amendments either relieve the public of duties required under existing regulations or make no substantive change in existing regulations.

Accordingly, the Provisional regulations issued under the Gold Reserve Act of 1934 are amended as follows:

1. The headnote for Part 54 is changed to read, "Regulations issued under the Gold Reserve Act of 1934".

2. The following amendments are made to § 54.4 *Definitions:*

a. The definition of "fabricated gold" is amended to read as follows:

"Fabricated gold" means gold which has, in good faith and not for the purpose of evading, or enabling others to evade, the provisions of the act or of the regulations in this part, been processed or manufactured for some one or more specific and customary industrial, professional, or artistic uses, *Provided*, That not more than 80 per cent of the total domestic value of the processed or manufactured gold is attributable to the gold content thereof; but the term "fabricated gold" does not include gold coin or scrap gold.

b. Insert the following new paragraph between the definitions of "fabricated gold" and "scrap gold":

"Semi-processed gold" means gold which has, in good faith and not for the purpose of evading, or enabling others to evade, the provisions of the act or of the regulations in this part, been processed or manufactured for some one or more specific and customary industrial, professional, or artistic uses; *Provided*, That more than 80 per cent of the total domestic value of the processed or manufactured gold is attributable to its gold content; but the term "semi-processed gold" does not include gold coin or scrap gold.

c. The definition of "scrap gold" is amended to read as follows:

"Scrap gold" means gold sweepings and any semi-processed gold or fabricated gold, the value of which depends primarily upon its gold content and not upon its form, which is no longer held for the use for which it was processed or manufactured.

d. The penultimate paragraph is amended to read as follows:

Wherever reference is made in this part to equivalents as between dollars or currency of the United States and gold, $1 or $1 face amount of any currency of the United States equals fifteen and five twenty-firsts (15-5/21 grains of gold, nine-tenths fine.

3. Section 54.5 is amended to read as follows:

§ 54.5 *General provisions affecting applications, statements, and reports.* Every application, statement, and report required to be made hereunder shall be made upon the appropriate form prescribed by the Secretary of the Treasury. Action upon any application or statement may be withheld pending the furnishing of any or all of the information required in such forms or of such additional infor-

mation as may be deemed necessary by the Secretary of the Treasury, or the agency authorized or directed to act hereunder. There shall be attached to the applications, statements, or reports such instruments as may be required by the terms thereof and such further instruments as may be required by the Secretary of the Treasury, or by such agency.

4. Section 54.7 is amended to read as follows:

§ 54.7 *General provisions affecting export licenses.* At the time any license to export gold is issued, the Federal Reserve bank or mint issuing the same shall transmit a copy thereof to the Collector of Customs at the port of export designated in the license. No Collector of Customs shall permit the export or transportation from the continental United States of gold in any form except upon surrender of a license to export, a copy of which has been received by him from the Federal Reserve bank or the mint issuing such license: *Provided, however,* That the export, or transportation from the continental United States of fabricated gold may be permitted pursuant to § 54.16: *And provided further,* That gold held by the Federal Reserve banks under §§ 54.28 to 54.30, inclusive, may be exported for the purposes of such sections without a license. The Collector of Customs to whom a license to export is surrendered shall cancel such license and return it to the Federal Reserve bank or mint which issued the same. In the event that the shipment is to be made by mail, a copy of the export license shall be sent to the Postmaster of the post office designated in the application, who will act under the instructions of the Postmaster General in regard thereto.

5. Section 54.9 is amended to read as follows:

§ 54.9 *Forms available.* Any form, the use of which is prescribed in this part, may be obtained at, or on written request to, any United States mint or assay office, Federal Reserve bank, or the Bureau of the Mint, Treasury Department, Washington 25, D. C.

6. Section 54.15 is amended to read as follows:

§ 54.15 *Gold situated in the possessions of the United States.* Gold in any form (other than United States gold coin) situated in places subject to the jurisdiction of the United States beyond the limits of the continental United States may be acquired, transported, melted or treated, imported, or exported, or earmarked or held in custody for the account of persons other than residents of the continental United States, by persons not domiciled in the continental United States: *Provided, however,* That gold may be transported from the continental United States to the possessions of the United States only under license for export issued pursuant to § 54.25 (c), § 54.32, § 54.33, or § 54.34, or, if fabricated gold, pursuant to § 54.16.

7. Section 54.16 is amended to read as follows:

§ 54.16 *Fabricated gold.* Fabricated gold may be acquired, transported within the United States, imported, or exported, or held in custody for foreign or domestic account without the necessity of holding a license therefor.

8. The last sentence of the second paragraph of § 54.19 is amended to read as follows: "Such retort sponge may be acquired from such persons by the United States or by persons holding licenses on form TGL–12 modified to deal in retort sponge, TGL–13 or TGL–14, but by no other person."

9. Section 54.25 (c) is amended to read as follows:

(c) No license on form TGL–12, TGL–13, or TGL–14 shall authorize the licensee to export or transport gold in any form from the continental United States, without a supplementary license on form TGL–15 issued by the mint which issued the license on form TGL–12, TGL–13 or TGL–14 except that fabricated gold may be exported or transported from the continental United States pursuant to § 54.16. Export licenses on form TGL–15 shall be issued only with the approval of the Director of the Mint and upon application made on form TG–15 showing to the satisfaction of the mint and the Director that the gold to be exported is semi-processed gold and that the export or transport from the continental United States is for a specific and customary industrial, professional, or artistic use and not for the purpose of using or holding or disposing of such semi-processed gold beyond the limits of the continental United States as, or in lieu of, money, or for the value of its gold content: *Provided, however,* That export licenses may be issued authorizing the exportation of gold in any form for refining or processing subject to the condition that the refined or processed gold (or the equivalent in refined or processed gold) be returned to the United States, or subject to such other conditions as the Director may prescribe.

10. Section 54.32 is amended to read as follows:

§ 54.32 *Gold imported in gold-bearing materials for reexport.* The United States assay office at New York or the United States mint at San Francisco, with the approval of the Director of the Mint, shall issue licenses on form TGL–16 authorizing the exportation of gold refined (or the equivalent in gold refined) from gold-bearing materials imported into the United States for refining and reexport to the foreign exporter, or pursuant to his order, provided the Director and such assay office or mint are satisfied that: (1) The imported gold-bearing material either (i) was imported into the United States from a foreign resident or a foreign organization, or (ii) was mined by a branch or other office of a United States organization and imported into the United States from such branch or office; (2) the importer has no right, title, or interest in the gold refined from the imported gold-bearing material, other than through its branch or office which is the foreign exporter as provided in subparagraph (1) (ii) above, and the importer will not participate in the sale of such refined gold or receive any commission in connection with the sale of such refined gold; (3) the refined gold is to be reexported to the foreign exporter or, pursuant to his order, to a foreign resident or a foreign organization; and (4) the exportation of the gold-bearing material from the country of origin and the importation of the refined gold into the country or countries of importation are authorized under the applicable laws and regulations of such countries;

Provided, further, That such gold is imported, acquired, and held, transported, melted and treated as permitted in §§ 54.12 to 54.20, inclusive, or in accordance with a license issued under §254.23 and subject to the following provisions:

(a) *Notation upon entry.* Upon the formal entry into the United States of any gold-bearing materials, the importer shall declare to the Collector of Customs at the port where the material is formally entered that the importation is made with the intention of exporting the gold refined therefrom to the foreign exporter, or pursuant to his order. The Collector shall make on the entry a notation to this effect and forward a copy of the entry to the United States assay office at New York or to the United States mint at San Francisco, whichever is designated by the importer.

(b) *Sampling and assaying.* Promptly upon the receipt of each importation of gold-bearing material at the plant where it is first to be treated, it shall be weighed, sampled, and assayed for the gold content. A reserve commercial sample shall be retained by such plant for at least 1 year from the date of importation, unless the assay is sooner verified by the Bureau of the Mint.

(c) *Plant records.* The importer shall cause an exact record, covering each importation, to be kept at the plant of first treatment. The records shall show the gross wet weight of the importation, the weight of containers, if any, the net wet weight, the percentage and weight of moisture, the net dry weight, and the gold content shown by the settlement assay. An attested copy of such record shall be filed promptly with the assay office at New York or the mint at San Francisco, whichever has been designated to receive a copy of the entry. The plant records herein required to be kept shall be available for examination by a representative of the Treasury Department for at least 1 year after the date of the disposition of such gold.

(d) *Application for export license.* Not later than 3 months from the date of entry the importer shall file with the New York assay office or the mint at San Francisco, whichever has been designated to receive a copy of the entry, an application on form TG–16 for a permit to export refined gold not in excess of the amount shown by the settlement sheet covering the importation. The application shall be accompanied by two duly attested copies of the settlement sheet.

(e) *Issuance of serial numbered certificates.* If the assay office or mint is satisfied as to the accuracy of the data shown on such application, it shall issue to the importer a dated serial numbered certificate, which shall show the amount of gold specified by the application and

the amount specified by the settlement sheet. The Director of the Mint shall prescribe the form of such certificate.

(f) *Issuance of export licenses.* Upon delivery of the serial numbered certificate to the assay office at New York or to the mint at San Francisco, whichever issued the certificate, within 120 days from the date the certificate was issued, and upon satisfactory compliance with the provisions of this section, the mint or assay office, with the approval of the Director, shall issue to the importer an export license or licenses on form TGL–16 to export refined gold in a total amount not exceeding the amount specified in the settlement sheet as shown on such certificate.

(g) *Exportation prior to receipt of settlement sheet.* Upon a showing in the application that an exportation with respect to any gold-bearing materials imported into the United States for refining is necessary prior to the time the settlement sheet can be procured, the assay office at New York or the mint at San Francisco, whichever was designated by the importer, may receive the application with duplicate certified copies of the report of the applicant's actual test assay. If prior reports of such applicant have been approximately substantiated by the settlement sheets, a license or licenses may be granted to export up to 90 per cent of the amount of gold which such report estimates will be realized from such gold-bearing materials.

(h) *Number of licenses to be issued.* No more than three licenses will be issued in connection with each importation of gold-bearing material.

11. Section 54.38 is amended to read as follows:

§ 54.38 *Gold recovered from natural deposits in the United States or any place subject to the jurisdiction thereof.* (a) The mints shall not purchase any gold under § 54.35 (a) unless the deposit of such gold is accompanied by a properly executed statement as follows:

(1) A statement on form TG–19 shall be filed with each delivery of gold by persons who have recovered such gold by mining or panning in the United States or any place subject to the jurisdiction thereof.

(2) A statement on form TG–20 shall be filed with each delivery of gold by persons who have recovered such gold from gold-bearing materials in the regular course of their business of operating a custom mill, smelter, or refinery.

(3) A statement on form TG–21 together with a statement giving (i) the names of the persons from whom gold was purchased; (ii) the amount and description of each lot of gold purchased; (iii) the location of the mine or placer deposit from which each lot was taken; and (iv) the period within which such gold was taken from the mine or placer deposit, shall be filed with each such delivery of gold by persons who have purchased such gold directly from the persons who have mined or panned such gold.

(b) In addition, such persons shall show that the gold was acquired, held, melted and treated, and transported by them in accordance with a license issued pursuant to § 54.23, or that such acquisition, holding, melting and treating, and transportation is permitted under §§ 54.12 to 54.20, inclusive, without the necessity of holding a license.

12. Section 54.39 is amended to read as follows:

§ 54.39 *Unmelted scrap gold.* No deposit of unmelted scrap gold shall be accepted unless accompanied by a properly executed statement on form TG–22. In addition, the depositors of such gold shall establish to the satisfaction of the mint that the gold was acquired, held, and transported by them in accordance with the regulations in this part or a license issued pursuant thereto.

13. Section 54.40 is amended to read as follows:

§ 54.40 *Imported gold.* The mints are authorized to purchase only such gold imported into the United States as has been in customs custody throughout the period in which it shall have been situated within the customs limits of the continental United States and then only subject to the following provisions:

(a) *Notation upon entry.* Upon formal entry into the United States of any gold intended for sale to a mint under this subpart, the importer shall declare to the collector of customs at the port of entry where the gold is formally entered that the gold is entered for such sale. The collector shall make a notation of this declaration upon the entry and forward a copy to the mint designated by the importer.

(b) *Statement by importer.* Upon the deposit of the gold with the mint designated by the importer, the importer shall file a statement executed in duplicate on form TG–23.

14. Section 54.43 is amended to read as follows:

§ 54.43 *Authorization to sell gold.* Each mint is authorized to sell gold to persons holding licenses on form TGL–13 or TGL–14, or to persons authorized under § 54.21 to acquire such gold for use in industry, profession, or art: *Provided, however,* That no mint may sell gold to any person in an amount which, in the opinion of such mint, exceeds the amount actually required by such person for a period of 3 months. Prior to the sale of any gold under this subpart, the mint shall require the purchaser to execute and file in duplicate a statement on form TG–24, or, if such purchaser is in the business of furnishing gold for use in industries, professions, and arts, on form TG–25. The mints are authorized to refuse to sell gold in amounts less than 25 ounces, and shall not sell gold under the provisions of this subpart to any person who has failed to comply with the regulations in this part or the terms of his license. The regulations issued under the Gold Reserve Act of 1934 as above amended are hereby confirmed.

These amended regulations shall become effective 30 days after their publication in the FEDERAL REGISTER except as to any importation of gold-bearing material which has been entered in accordance with the provisions of § 54.32 (a) of the regulations prior to such effective date and except as to any application for the exportation of gold pursuant to § 54.25 (c) of the regulations filed prior to such effective date.

(Sec. 3, 48 Stat. 337; 31 U. S. C. 442)

[SEAL] JOHN W. SNYDER,
Secretary of the Treasury.

Approved:

HARRY S. TRUMAN,
The White House.

[F. R. Doc. 47–9529; Filed, Oct. 24, 1947; 8:46 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Office of Selective Service Records

[Amdt. 6]

PART 606—GENERAL ADMINISTRATION

SUPPLYING INFORMATION TO OFFICIALS AND AGENCIES OF STATES, THE DISTRICT OF COLUMBIA, TERRITORIES AND POSSESSIONS OF THE UNITED STATES

Pursuant to authority contained in Public Law 26, 80th Congress, approved March 31, 1947, Office of Selective Service Records Regulations, First Edition, (12 F. R. 2312, 5042, 5461) are hereby amended in the following respect:

Amend the regulations by adding a new section to be known as § 606.15 to read as follows:

§ 606.15 *Supplying information to officials and agencies of States, the District of Columbia, Territories and possessions of the United States.* (a) Information contained in records in a registrant's file may be disclosed or furnished to an official of any State, the District of Columbia, any Territory or possession of the United States, or any subdivision thereof, designated in paragraph (b) of this section, except that any information contained in records in a registrant's file relating to (1) his marital or dependency status, (2) his earnings or income, (3) his court or prison record, (4) his military service as shown in the Selective Service Questionnaire (DSS Form 40) and performed prior to the completion of such questionnaire, or (5) his physical or mental condition, or medical treatment shall not be so disclosed or furnished to any such official without the written consent of the registrant or the specific written authority of the Director. A request for information may be made in writing signed by such official or may be made in person by such official. Any information obtained under the provisions of this section by any official designated in paragraph (b) of this section shall, without exception, be used solely for the purposes of the public office held by such official or of the governmental agency in which he holds such office, and shall not be given to any other agency or person, and no person shall use any such information for any purpose other than for the purposes of the public office held by the official who obtained the information or of the governmental agency in which the official held such office. No official mentioned in this section shall be permitted

to examine any record in a registrant's file without the written consent of the registrant or the specific written authority of the Director.

(b) Any official of any State, the District of Columbia, any Territory or possession of the United States, or any subdivision thereof, named hereafter in this paragraph is authorized to obtain information contained in records in a registrant's file under and subject to the provisions of paragraph (a) of this section.

(1) *State of Alabama.* The officials of the State of Alabama authorized to obtain such information are (i) the Adjutant General, and (ii) the Director, Department of Industrial Relations.

(2) *Territory of Alaska.* The Executive Director of the Unemployment Compensation Commission of the Territory of Alaska is authorized to obtain such information.

(3) *State of Arizona.* The officials of the State of Arizona authorized to obtain such information are (i) the Adjutant General, (ii) the Assistant Executive Officer of the Adjutant General's Office, and (iii) the Director, Unemployment Compensation Division, Employment Security Commission.

(4) *State of Arkansas.* The officials of the State of Arkansas authorized to obtain such information are (i) the Adjutant General, (ii) the Assistant Adjutant General, (iii) the Personnel Officer of the Adjutant General's Department, and (iv) the Administrator, Employment Security Division, Department of Labor.

(5) *State of California.* The officials of the State of California authorized to obtain such information are (i) the Adjutant General, (ii) the Director of Veterans' Affairs, and (iii) the Chairman, Employment Stabilization Commission.

(6) *State of Colorado.* The officials of the State of Colorado authorized to obtain such information are (i) the Adjutant General, (ii) the Executive Director, State Employment Office, (iii) the Warden, State Reformatory, (iv) the Director, State Mental Hospital, (v) the General Secretary, State Prison Board, (vi) the Secretary and the General Counselor of the Legal Aid Society, (vii) the Secretary, Civil Service Commission, and (viii) the Director, Department of Public Welfare.

(7) *State of Connecticut.* The officials of the State of Connecticut authorized to obtain such information are (i) the Adjutant General, (ii) the Executive Director, Employment Security Division, Department of Labor and Factory Inspection, (iii) the State Treasurer, (iv) the Administrator, Veterans' Bonus Division, (v) the Executive Director and the Director of Benefits, State Employment Security Division, (vi) the Librarian and the War Records Librarian of the Connecticut State Library, and (vii) the Personnel Director, the Chief of the Service Division, and the Chief of the Administrative Division, Civil Service Commission.

(8) *State of Delaware.* The officials of the State of Delaware authorized to obtain such information are (i) the Adjutant General, and (ii) the Chairman-Executive Director, Unemployment Compensation Commission.

(9) *District of Columbia.* The officials of the District of Columbia authorized to obtain such information are (i) the Director, Unemployment Compensation Board, and (ii) the Chief of the Field Department, Unemployment Compensation Board.

(10) *State of Florida.* The officials of the State of Florida authorized to obtain such information are (i) the Adjutant General, and (ii) the Chairman, Industrial Commission.

(11) *State of Georgia.* The officials of the State of Georgia authorized to obtain such information are (i) the Governor, (ii) the Executive Secretary, Executive Department, (iii) the Superintendent, Department of Education, (iv) the Director, Department of Welfare, (v) the Director, Department of Health, (vi) the Director, Department of Veterans' Service, (vii) the Adjutant General and the Assistant Adjutant General, State Military Department, (viii) the Commissioner, Department of Labor, (ix) the Director, Department of Archives, (x) the Director, Bureau of Public Administration, (xi) the Executive Director, Agricultural and Industrial Commission, and (xii) the Director, Department of Public Safety.

(12) *Territory of Hawaii.* The Assistant in Charge, Bureau of Unemployment Compensation of the Territory of Hawaii, is authorized to obtain such information.

(13) *State of Idaho.* The officials of the State of Idaho authorized to obtain such information are (i) the Adjutant General, and (ii) the Executive Director, Employment Security Agency.

(14) *State of Illinois.* The officials of the State of Illinois and its subdivisions authorized to obtain such information are (i) the Adjutant General, (ii) the Commissioner of Placement and Unemployment Compensation, and (iii) the Chief Probation Officer, Adult Probation Department, Cook County.

(15) *State of Indiana.* The officials of the State of Indiana authorized to obtain such information are (i) the Adjutant General, (ii) the Assistant Chief of Staff and the Assistant Director of Personnel Records of the Adjutant General's Office, and (iii) the Director, Employment Security Division.

(16) *State of Iowa.* The officials of the State of Iowa authorized to obtain such information are (i) the Adjutant General, and (ii) the Chairman, Employment Security Commission.

(17) *State of Kansas.* The officials of the State of Kansas authorized to obtain such information are (i) the Adjutant General, and (ii) the Executive Director, Employment Security Division.

(18) *State of Kentucky.* The officials of the State of Kentucky authorized to obtain such information are (i) the Adjutant General, and (ii) the Executive Director, Unemployment Compensation Commission.

(19) *State of Louisiana.* The officials of the State of Louisiana authorized to obtain such information are (i) the Adjutant General, (ii) the Personnel Officer of the Office of the Adjutant General, and (iii) the Administrator, Division of Employment Security, Department of Labor.

(20) *State of Maine.* The officials of the State of Maine authorized to obtain such information are (i) the Adjutant General, (ii) the Chairman, Unemployment Compensation Commission, and (iii) the State Director and the Administrator, Veterans' Assistance Program.

(21) *State of Maryland.* The officials of the State of Maryland authorized to obtain such information are (i) the Adjutant General, (ii) the Chairman, Department of Employment Security, and (iii) the Director, War Records Division, Maryland Historical Society.

(22) *State of Massachusetts.* The officials of the State of Massachusetts authorized to obtain such information are (i) the Adjutant General, (ii) the Director and the Manager of the Division of Employment Security, (iii) the State Treasurer, (iv) the Deputy State Treasurer for the Commonwealth of Massachusetts Bonus Division, (v) the Commissioner and the Agents, Veterans' Service Departments and Information Centers, and (vi) the Commissioner and the Agents, Bureau of Old Age Assistance and Public Welfare.

(23) *State of Michigan.* The officials of the State of Michigan authorized to obtain such information are (i) the Adjutant General, and (ii) the Executive Director, Unemployment Compensation Commission.

(24) *State of Minnesota.* The officials of the State of Minnesota authorized to obtain such information are (i) the Adjutant General, (ii) the Assistant Adjutant General, and (iii) the Director, Division of Employment Security.

(25) *State of Mississippi.* The officials of the State of Mississippi authorized to obtain such information are (i) the Adjutant General, and (ii) the Executive Director, Unemployment Compensation Commission.

(26) *State of Missouri.* The officials of the State of Missouri authorized to obtain such information are (i) the Adjutant General, (ii) the Director, Division of Employment Security, (iii) the Director, Division of Health, (iv) the Director, State Historical Society, (v) the Director, Division of Welfare, (vi) the Director, Department of Correction, and (vii) the Superintendent, State Highway Patrol.

(27) *State of Montana.* The officials of the State of Montana authorized to obtain such information are (i) the Adjutant General, and (ii) the Chairman, Unemployment Compensation Commission.

(28) *State of Nebraska.* The officials of the State of Nebraska authorized to obtain such information are (i) the Adjutant General, and (ii) the Director, Division of Placement and Unemployment Insurance, Department of Labor.

(29) *State of Nevada.* The officials of the State of Nevada authorized to obtain such information are (i) the Adjutant General, and (ii) the Executive Director, Employment Security Department.

(30) *State of New Hampshire.* The Officials of the State of New Hampshire authorized to obtain such information are (i) the Adjutant General, (ii) the

Administrator, Unemployment Compensation Division, (iii) the Commissioner, State Department of Public Welfare, (iv) the Health Officer, State Department of Health, (v) the Superintendent, State Department of Hospitals, and (vi) the State Director, State Employment Office.

(31) *State of New Jersey.* The officials of the State of New Jersey authorized to obtain such information are (i) the Adjutant General, (ii) the Executive Director, Unemployment Compensation Commission, and (iii) the Superintendent, Department of State Police.

(32) *State of New Mexico.* The officials of the State of New Mexico authorized to obtain such information are (i) the Adjutant General, and (ii) the Chairman-Executive Director, Employment Security Commission.

(33) *State of New York.* The officials of the State of New York authorized to obtain such information are (i) the Adjutant General, (ii) the Assistant Adjutant General, (iii) the Executive Officer of the Adjutant General's Office, and (iv) the Executive Director, Division of Placement and Unemployment Insurance.

(34) *State of North Carolina.* The officials of the State of North Carolina authorized to obtain such information are (i) the Adjutant General, and (ii) the Chairman, Employment Security Commission.

(35) *State of North Dakota.* The officials of the State of North Dakota authorized to obtain such information are (i) the Adjutant General, (ii) the Assistant Adjutant General, and (iii) the Director, Unemployment Compensation Commission.

(36) *State of Ohio.* The officials of the State of Ohio authorized to obtain such information are (i) the Adjutant General, (ii) the Commissioner of Soldiers' Claims of the Adjutant General's Office, and (iii) the Administrator, Bureau of Unemployment Compensation.

(37) *State of Oklahoma.* The officials of the State of Oklahoma authorized to obtain such information are (i) the Adjutant General, and (ii) the Executive Director, Employment Security Commission.

(38) *State of Oregon.* The officials of the State of Oregon authorized to obtain such information are (i) the Adjutant General, and (ii) the Administrator, Unemployment Compensation Commission.

(39) *State of Pennsylvania.* The officials of the State of Pennsylvania authorized to obtain such information are (i) the Adjutant General, and (ii) the Executive Director, Bureau of Employment and Unemployment Compensation.

(40) *Puerto Rico.* The Chief, Readjustment Accounts Section of Puerto Rico is authorized to obtain such information.

(41) *State of Rhode Island.* The officials of the State of Rhode Island authorized to obtain such information are (i) the Adjutant General, and (ii) the Chairman, Unemployment Compensation Board.

(42) *State of South Carolina.* The officials of the State of South Carolina authorized to obtain such information are (i) the Adjutant General, (ii) the Assistant Adjutant General, (iii) the Executive Director, Employment Security Commission, (iv) the State Service Officer, the Assistant State Service Officer, and Field Investigators, State Service Bureau, (v) the Director and the Supervisor of Paroles, State Probation, Pardon and Parole Board, (vi) the Chief and the Assistant Chief, Division of Public Assistance, Department of Public Welfare, and (vii) the Chief, Division of Child Welfare Services, Department of Public Welfare.

(43) *State of South Dakota.* The officials of the State of South Dakota authorized to obtain such information are (i) the Adjutant General, and (ii) the Commissioner, Employment Security Department.

(44) *State of Tennessee.* The officials of the State of Tennessee authorized to obtain such information are (i) the Adjutant General, and (ii) the Commissioner, Department of Employment Security.

(45) *State of Texas.* The officials of the State of Texas authorized to obtain such information are (i) the Adjutant General, and (ii) the Chairman-Executive Director, Employment Commission.

(46) *State of Utah.* The officials of the State of Utah authorized to obtain such information are (i) the Adjutant General, (ii) the Executive Director, Department of Employment Security, (iii) the Director, Department of Veterans' Affairs, and (iv) the Executive Secretary, State Historical Society.

(47) *State of Vermont.* The officials of the State of Vermont authorized to obtain such information are (i) the Adjutant General, (ii) the Chairman, Unemployment Compensation Commission, (iii) the Secretary, Department of Public Health, (iv) the Commissioner of Social Welfare, Department of Social Welfare, and (v) the State Treasurer.

(48) *State of Virginia.* The officials of the State of Virginia authorized to obtain such information are (i) the Adjutant General, (ii) the Assistant Adjutant General, (iii) a Commissioner, Unemployment Compensation Commission, (iv) the Superintendent of the Division of Inspection, Alcoholic Beverage Control Board, (v) the Superintendent of Public Instruction, Department of Education, (vi) the Chief, Bureau of Investigation and Records, Virginia State Police, and (vii) the Director, World War Two History Commission.

(49) *Virgin Islands.* The Superintendent of the Police Department of the Virgin Islands is authorized to obtain such information.

(50) *State of Washington.* The officials of the State of Washington authorized to obtain such information are (i) the Adjutant General, and (ii) the Commissioner, Employment Security Department.

(51) *State of West Virginia.* The officials of the State of West Virginia authorized to obtain such information are (i) the Adjutant General, and (ii) the Director, Department of Unemployment Compensation.

(52) *State of Wisconsin.* The officials of the State of Wisconsin and its subdivisions authorized to obtain such information are (i) the Adjutant General, (ii) the Chairman, Industrial Commission, and (iii) County Veterans' Service Officers.

(53) *State of Wyoming.* The officials of the State of Wyoming authorized to obtain such information are (i) the Adjutant General, and (ii) the Executive Director, Employment Security Commission. (Pub. Law 26, 80th Cong.; 61 Stat. 37)

The foregoing amendment to the Office of Selective Service Records Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

OCTOBER 21, 1947.

[F. R. Doc. 47-9534; Filed, Oct. 24, 1947; 8:47 a. m.]

Chapter VIII—Office of International Trade, Department of Commerce

Subchapter B—Export Control

[Amdt. 360]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations,* is amended as follows:

The list of commodities set forth in paragraph (b) is amended by adding thereto the following commodity:

Dept. of Com. Sched. B No.	Commodity	Unit	GLV dollar value limits country group	
			K	E
101300	Malt	Bu	10	10

Shipments of any of the above commodities removed from general license which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment may be exported under the previous general license provisions.

(Sec. 6, 54 Stat. 714, 55 Stat. 206, 56 Stat. 463, 58 Stat. 671, 59 Stat. 270, 60 Stat. 215, Pub. Law 145, 80th Cong.; Pub. Law 188, 80th Cong.; 50 U. S. C. App. & Sup. 701, 702; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245)

This amendment shall become effective October 24, 1947.

Dated: October 22, 1947.

JOHN M. SWAYZE,
Acting Director,
Export Supply Branch.

[F. R. Doc. 47-9535; Filed, Oct. 24, 1947; 8:45 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 784]

PART 95—CAR SERVICE

BOX CARS OF CANADIAN RAILROAD OWNERSHIP

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 21st day of October A. D. 1947.

It appearing, that there is a disproportionate balance between the number of box cars of United States railroad ownership in Canada and box cars of Canadian railroad ownership in the United States, and that this disproportionate balance is affecting the ability of the Canadian lines to meet their car requirements. In the opinion of the Commission an emergency exists requiring immediate action; *it is ordered,* that:

§ 95.784 *Return of box cars of Canadian ownership.* (a) That each common carrier by railroad subject to the Interstate Commerce Act shall send home empty at once all box cars of Canadian railroad ownership in accordance with the Association of American Railroads Code of Car Service Rules except those box cars now under load or being loaded or which can immediately be loaded direct to Canadian destinations.

(b) *Rules, regulations and practices suspended.* The operation of all rules, regulations, and practices insofar as they conflict with the provisions of this section is hereby suspended.

(c) *Effective date.* This section shall become effective at 12:01 a. m., October 23, 1947.

(d) *Expiration date.* This section shall expire at 11:59 p. m., November 30, 1947, unless otherwise modified, changed, suspended, or annulled by order of this Commission.

It is further ordered, that a copy of this order be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 1, 24 Stat. 379, as amended 40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4; 54 Stat. 901; 49 U. S. C. 1 (10)–(17))

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 47-9528; Filed, Oct. 24, 1947; 8:47 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 52]

UNITED STATES STANDARDS FOR GRADES OF OLIVE OIL

NOTICE OF PROPOSED RULE MAKING

Correction

In F. R. Doc. 47-9460, appearing at page 6913 of the issue for Thursday, October 23, 1947, § 52.476 (c) (1) should be changed to read as follows:

(c) *Ascertaining the grade.* The grade of olive oil may be ascertained by considering, in addition to the requirements of the respective grade, the following factors: Free fatty acid content, absence of defects, odor and flavor.

[7 CFR, Part 904]

MILK IN GREATER BOSTON, MASS., MARKETING AREA

NOTICE OF PROPOSED RULE MAKING WITH RESPECT TO DECLARATION OF EMERGENCY PERIOD

Pursuant to the applicable provisions of the Administrative Procedure Act (60 Stat. 237) and the authority vested in the market administrator by §904.1 (a) (5) of Order No. 4, as amended, regulating the handling of milk in the Greater Boston, Massachusetts, marketing area, notice is hereby given that a public meeting will be held at Room 726, 80 Federal Street, Boston, Massachusetts, on October 27, 1947, at 10:00 a. m., e. s. t., to consider whether the milk supply available to the marketing area from producers is insufficient to meet the demand for Class I milk in the marketing area.

All persons who desire to submit data, views, or arguments in connection with this matter will be given an opportunity to do so orally or in writing at this meeting.

Issued at Boston, Massachusetts, this 22d day of October 1947.

[SEAL] RICHARD D. APLIN, *Acting Market Administrator.*

[F. R. Doc. 47-9550; Filed, Oct. 24, 1947; 8:50 a. m.]

NOTICES

TREASURY DEPARTMENT

Fiscal Service: Bureau of the Public Debt

[1947 Dept. Circ. 818]

1 PERCENT TREASURY CERTIFICATES OF INDEBTEDNESS OF SERIES K–1948

OFFERING OF CERTIFICATES

OCTOBER 22, 1947.

I. *Offering of certificates.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par, from the people of the United States, for certificates of indebtedness of the United States, designated 1 percent Treasury Certificates of Indebtedness of Series K–1948, in exchange for Treasury Certificates of Indebtedness of Series K–1947, maturing November 1, 1947.

II. *Description of certificates.* 1. The certificates will be dated November 1, 1947, and will bear interest from that date at the rate of 1 percent per annum, payable with the principal at maturity on October 1, 1948. They will not be subject to call for redemption prior to maturity.

2. The income derived from the certificates shall be subject to all taxes now or hereafter imposed under the Internal Revenue Code, or laws amendatory or supplementary thereto. The certificates shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The certificates will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer certificates will be issued in denominations of $1,000, $5,000, $10,000, $100,000 and $1,000,000. The certificates will not be issued in registered form.

5. The certificates will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States certificates.

III. *Subscription and allotment.* 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of certificates applied

for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. *Payment.* 1. Payment at par for certificates allotted hereunder must be made on or before November 1, 1947, or on later allotment, and may be made only in Treasury Certificates of Indebtedness of Series K–1947, maturing November 1, 1947, which will be accepted at par, and should accompany the subscription. The full year's interest on the certificates surrendered will be paid to the subscriber following acceptance of the certificates.

V. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for certificates allotted, to make delivery of certificates on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive certificates.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] JOHN W. SNYDER,
Secretary of the Treasury.

[F. R. Doc. 47–9531; Filed, Oct. 24, 1947; 8:46 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616, E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 9846]

JOHN LEHNEN

In re: Estate of John Lehnen, deceased. File D–28–11405; E. T. sec. 15640.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Mary L. Scholzen, Frank Mader, Andrew Mader, Anna Mader, Margaretta Mader, Clara Holtzppel and John Lehnen, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the heirs, names unknown, of Christian Lehnen, Margaretta Theisen, Anna Lehnen, Barbara Wiaime and Margaretta L. Mader deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the estate of John Lehnen, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

4. That such property is in the process of administration by Russell E. Schumaker, as executor, acting under the judicial supervision of the Probate Court of Houghton County, Michigan;

and it is hereby determined:

5. That to the extent that the above named persons in subparagraph 1 hereof and the heirs, names unknown, of Christian Lehnen, Margaretta Theisen, Anna Lehnen, Barbara Wiaime and Margaretta L. Mader deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 17, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47–9536; Filed, Oct. 24, 1947; 8:49 a. m.]

[Vesting Order 9856]

FRITZ ERMARTH ET AL.

In re: Debts owing to Fritz Ermarth and others.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That each individual, whose name is set forth in Exhibit A, attached hereto and by reference made a part hereof, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to each individual, whose name is set forth in Exhibit A, by American Express Company, 65 Broadway, New York 6, New York, in the respective amount appearing opposite the name of each individual, as of November 25, 1946, and any and all accruals thereto, evidenced by the American Express Company Travelers Checks, described in Exhibit A, which checks are presently in the possession of the Attorney General of the United States, and any and all rights to demand, enforce and collect the aforementioned debt or other obligation together with any and all rights in, to and under, including particularly, but not limited to, the rights to possession and presentation for collection and payment of the aforesaid travelers checks,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the persons referred to in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 17, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Name	Travelers checks numbered	Face value of each	Amount of debt
Fritz Ermarth	A–22794488 through A–22794496.	$10	$90
Waldemar Becker.	A–19666912 through A–19666937.	10	260
Karl Jaacksch	A–22794406 through A–22794414.	10	----------
	A–22794096 through A–22794105.	10	----------
	B–18062103 through B–18062129.	20	730
Wilhelm Liesicke	A–26155117 through A–26155120.	10	40
Heinrich Mohrdieck.	A–26155109 through A–26155116.	10	80

[F. R. Doc. 47–9537; Filed, Oct. 24, 1947; 8:49 a. m.]

[Vesting Order 9869]

LAURA K. BLAKE

In re: Estate of Laura K. Blake, deceased. File D–28–11824; E. T. sec. 16018.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Execu-

tive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Ludwig Funck and Johannes Frey, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the Estate of Laura K. Blake, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Raymond J. Kirkpatrick, as Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 24, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-9538; Filed, Oct. 24, 1947; 8:49 a. m.]

[Vesting Order 9904]

DEUTSCHE BANK UND DISCONTO GESELLSCHAFT

In re: Bank account, stock and certificates of deposit, owned by Deutsche Bank und Disconto Gesellschaft. F-28-1279-E-2, F-28-1279-D-1, F-28-1279-D-2.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Deutsche Bank und Disconto Gesellschaft, the last known address of which is Berlin, Germany, is a corporation, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligation owing to Deutsche Bank und Disconto Gesellschaft, by Webster and Atlas National Bank, 199 Washington Street, Boston, Massachusetts, arising out of a checking account, entitled Deutsche Bank und Disconto Gesellschaft, and any and all rights to demand, enforce and collect the same,

b. Seven hundred and ninety (790) shares of $100.00 par value common capital stock of The Baltimore and Ohio Railroad Company, Baltimore & Charles Streets, Baltimore 1, Maryland, a corporation organized under the laws of the States of Maryland and Virginia, evidenced by the Certificates numbered as set forth in Exhibit A, attached hereto and by reference made a part hereof, and registered in the name of Deutsche Bank und Disconto Gesellschaft, in the amounts appearing opposite each Certificate Number listed in Exhibit A, together with all declared and unpaid dividends thereon, and

c. Those certain rights and interests of the Deutsche Bank und Disconto Gesellschaft in and under a Debentureholder's Protective Agreement, dated April 8, 1932, as amended, as evidenced by sixteen (16) certificates of deposit bearing the numbers D1528, D1608, D1614, D1617, M13313, M13370, M13575, M13576, M14007, M14008, M14009, M14010, M14011, M15612, M15613 and M15614 for Sixteen (16) Kreuger and Toll Company 5% Secured Sinking Fund Gold Debentures, due March 1, 1959, of $14,000 aggregate face value, and deposited with the Guaranty Trust Company of New York, 140 Broadway, New York 15, New York, together with all rights to demand, enforce and collect any and all distributions made pursuant to the aforesaid agreement and the right to receive new certificates of deposit for the aforesaid certificates of deposit, the location of which is unknown.

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 1, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Certificate No.:	Number of shares
A 354285/6 for 5 shares each	10
A 357601	5
A 357603	5
A 372197	5
A 373148	5
A 374469/75 for 5 shares each	35
A 375482	5
A 375520/22 for 5 shares each	15
A 391121	5
A 401547	5
A 408298	5
A 414738	5
A 416551	5
A 416555/6 for 5 shares each	10
A 438118	5
A 447074	5
A 449157	5
A 450730	5
A 453142	5
A 455142	5
A 455150	5
A 455964	5
A 456650	5
A 456827/8 for 5 shares each	10
A 456844	5
A 457167	5
A 457180	5
A 457182	5
A 457189/90 for 5 shares each	10
A 457452/3 for 5 shares each	10
A 457456	5
A 457646	5
A 457859	5
A 457861	5
A 458240	5
A 460923	5
A 460936	5
A 460938	5
A 461600/1 for 5 shares each	10
A 461604	5
A 461607/8 for 5 shares each	10
A 464408	5
A 464426/7 for 5 shares each	10
A 464520	5
A 464527	5
A 464608	5
A 464614/5 for 5 shares each	10
A 464617	5
A 466246	5
A 467234	5
A 467247	5
A 470675	5
A 470677/8 for 5 shares each	10
A 471001/2 for 5 shares each	10
A 473831/2 for 5 shares each	10
A 473841	5
A 473846	5
A 473849	5
A 473917/8 for 5 shares each	10
A 473933/4 for 5 shares each	10
A 474244/60 for 5 shares each	85
A 476500	5
A 476748	5
A 476751	5
A 476753	5
A 476756	5
A 476759	5
A 476763/4 for 5 shares each	10
A 481557/8 for 5 shares each	10
A 479378	5
A 479386/7 for 5 shares each	10
A 479406	5
A 479415/6 for 5 shares each	10
A 480263/4 for 5 shares each	10
D 206764/5 for 10 shares each	20
D 206768/9 for 10 shares each	20
D 206786	10
D 206818	10
D 206823	10
D 207884	10

EXHIBIT A—Continued

Certificate No.:	Number of shares
D 210291	10
D 213799	10
D 226848/9 for 10 shares each	20
D 235910	10
D 253981/2 for 10 shares each	20
D 255020	10
D 271804	10
D 272997	10
D 279977	10
D 279983	10

[F. R. Doc. 47-9539; Filed, Oct. 24, 1947; 8:49 a. m.]

[Vesting Order 10008]

GEORGE SCHMIDT ET AL.

In re: Debt owing to George Schmidt, Herman Schmidt, Martha Wolbold, Anna Breitmeier, Maria Kohler, Louisa Schmidt, Willy Etzel, Carl Etzel, Fritz Etzel and Lena Neef. D-28-10576-C-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That George Schmidt, Herman Schmidt, Martha Wolbold, Anna Breitmeier, Maria Kohler, Louisa Schmidt, Willy Etzel, Carl Etzel, Fritz Etzel and Lena Neef, whose last known addresses are Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of Charles Claflin Allen, 600 Merchants-Laclede Building, St. Louis 2, Missouri, representing the distributive share of the aforesaid nationals in the estate of George Schoeck, deceased, in the amount of $990.07, as of February 28, 1946, presently on deposit in The Boatmen's National Bank of St. Louis, Broadway at Olive Streets, St. Louis 2, Missouri, in an account entitled Charles Claflin Allen, Jr. (Blocked Account) Attorney for heirs of George Schoeck, Deceased, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, George Schmidt, Herman Schmidt, Martha Wolbold, Anna Breitmeier, Maria Kohler, Louisa Schmidt, Willy Etzel, Carl Etzel, Fritz Etzel and Lena Neef, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 9, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-9540; Filed, Oct. 24, 1947; 8:49 a. m.]

MAX VOGEL

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading with the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant; Claim Number; and Property

Kurt M. Vogel, Administrator of the Estate of Max Vogel, deceased; A-94 to A-106, inclusive; Property described in Vesting Order No. 201 (8 F. R. 625, January 16, 1943) relating to United States Letters Patent Nos. 1,639,821, 1,740,322, 1,846,165, 1,935,280, 1,944,020, 1,985,751, 1,996,222 2,021,274, 2,083,757, 2,088,005, 2,180,490, 2,181,252, and 2,240,105.

Executed at Washington, D. C., on October 21, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-9541; Filed, Oct. 24, 1947; 8:49 a. m.]

SERGE KOUSSEVITZKY

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading with the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant; Claim Number; and Property

Serge Koussevitzky, 191 Buckminster Road, Brookline, Mass.; 6024; Royalties in the amount of $4,208.10. Property described in Vesting Order Nos. 2543 (9 F. R. 1466, February 4, 1944) and 3430 (9 F. R. 6464, June 13, 1944; 9 F. R. 13768, November 17, 1944) relating to the production "Tableaux D-Une Exposition" (Pictures at an Exhibition) (listed in Exhibit A of said vesting orders) to the extent owned by Russischec Musikverlag, G. m. b. H., immediately prior to vesting.

Executed at Washington, D. C., on October 21, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-9542; Filed, Oct. 24, 1947; 8:53 a. m.]

ISAAC FRENKEL

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading with the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant; Claim Number; and Property

Isaac Frenkel, also known as Isaak Frenkel, New York, N. Y.; 5508; Property described in Vesting Order No. 666 (8 F. R. 5047, April 17, 1943) relating to United States Letters Patent No. 2,218,620.

Executed at Washington, D. C., on October 21, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-9543; Filed, Oct. 24, 1947; 8:53 a. m.]

[Dissolution Order 65]

PACIFIC HOG CO., INC.

Whereas, by Vesting Order Number 48, dated July 8, 1942 (7 F. R. 5737, July 28, 1942), there were vested all the issued and outstanding shares of the capital stock of Pacific Hog Company, Inc., a California corporation; and

Whereas, Pacific Hog Company, Inc., was wound up pursuant to the laws of the State of California and under the supervision of the Superior Court of the State of California in and for the County of Orange; and

Whereas, Pacific Hog Company, Inc., was adjudged and declared to be duly wound up and dissolved by order of said Court, made and entered on September 6, 1946;

Now, under the authority of the Trading with the Enemy Act, as amended and Executive Orders 9095, as amended and 9788, and pursuant to law, the undersigned, after investigation:

1. Finding that all known debts and liabilities have been paid or adequately provided for and that all creditors or claimants who have failed to present their claims and proof thereof during the liquidation proceedings have been barred from any participation in the distribution of the assets of said corporation; and

2. Having determined that it is in the national interest of the United States that all assets of said corporation remaining after payment of outstanding debts, obligations, claims and demands, whether in money or in kind, together with any and all other assets of said corporation inadvertently or otherwise omitted from the winding up and dissolution proceedings heretofore had shall be distributed and assigned to the Attorney General of the United States of America;

hereby orders, that the officers and directors of Pacific Hog Company, Inc. (to wit, A. L. Stoner, President and Director, A. P. Trawick, Secretary and Director, and Gerald P. Martin, Vice President and Director, or their successors, or any of them), pay over, transfer, assign and deliver to the Attorney General all the remaining assets of said corporation, after payment or provision for payment of the claims allowed by the above-mentioned court order, whether in money or in kind, and any and all other assets inadvertently or otherwise omitted from the winding up and dissolution proceedings heretofore had; and further orders, that nothing herein set forth shall be construed as prejudicing the right, under the Trading with the Enemy Act, as amended, of any person who may have a claim against said corporation, to file such claim with the Attorney General of the United States against any funds or property received by the Attorney General of the United States of America, hereunder: *Provided, however*, That nothing herein contained shall be construed as creating additional rights in such person: *Provided, further*, That any such claim against such corporation shall be filed with or presented to the Attorney General of the United States within the time and in the form and manner prescribed for such claims by the Trading with the Enemy Act, as amended and applicable regulations and orders issued pursuant thereto; and

further orders, that all actions taken and acts done by the said officers and directors of Pacific Hog Company, Inc., pursuant to this Order and the directions contained herein shall be deemed to have been taken and done in reliance on and pursuant to paragraph numbered (2) of subdivision (b) of section 5 of the Trading with the Enemy Act, as amended, and the acquittance and exculpation provided therein.

Executed at Washington, D. C. this 20th day of October 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-9514; Filed, Oct. 23, 1947; 8:48 a. m.]

[Return Order 38]

ALFRED QUENSEL

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,[1]

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant and claim No.	Notice of intention to return published	Property
The First National Bank of Chicago, administrator with the will annexed of the estate of Alfred Quensel, Chicago, Ill., Claim No. 4972.	12 Fed. Reg. 5574, Aug. 7, 1947.	$30,861.84 in the Treasury of the United States.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on October 20, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-9516; Filed, Oct. 23, 1947; 8:48 a. m.]

[Return Order 52]

ERICA AND HAGBARTH ROTHEIM

Having considered the claim set forth below and having issued a Determination allowing the claim, which is incorporated by reference herein and filed herewith.

It is ordered, That the claimed property, described below and in the Determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

Claimant and claim No.	Notice of intention to return published	Property
Erica Rotheim, New York, N. Y., 6022. Hagbarth Rotheim, Oslo, Norway, 8626.	12 F. R. 6275, Sept. 19, 1947. 12 F. R. 6275, Sept. 19, 1947.	Property described in Vesting Order No. 672 (8. F. R. 5020, April 17, 1943), relating to United States Letters Patent Nos. 1,800,156; 1,892,750; 1,945,998; 2,128,433; and the property described in Vesting Order No. 294 (7 F. R. 9840, November 26, 1942), relating to United States Patent Application Nos. 388,698 and 388,699 (now United States Letters Patent Nos. 2,335,312; 2,348,851; respectively), including all interests and rights created in the Alien Property Custodian by virtue of two license agreements (License Nos. 1234F and 1764F, dated January 9, 1945 and November 21, 1945 respectively) entered into by the Alien Property Custodian and Atomix, Inc., a corporation of Delaware, relating to the aforesaid patents, together with royalties pertaining thereto in the amount of $1.00. This return shall not be deemed to include the rights of any licensees under the above patents.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on October 21, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-9544; Filed, Oct. 24, 1947; 8:53 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

R & O COMMISSION COMPANY STOCKYARDS, KEARNEY, NEBR.

NOTICE RELATIVE TO POSTED STOCKYARDS

Notice is hereby given that after inquiry and after consideration of all relevant matter presented pursuant to the notice of proposed posting and rule making published in the FEDERAL REGISTER on August 23, 1947 (12 F. R. 5713), it has been ascertained by me, pursuant to section 302 of the Packers and Stockyards Act, 1921 (7 U. S. C. 202), that the stockyard known as the R & O Commission Company, Kearney, Nebraska, is a stockyard within the definition of a stockyard contained in section 302 of said act and is, therefore, subject to the provisions of said act.

The attention of the stockyard owners, market agencies, dealers, and other persons concerned is directed to sections 303 and 306 (7 U. S. C. 203 and 207) and other pertinent provisions of said act, and the rules and regulations issued thereunder by the Secretary of Agriculture.

NOTE: The Packers and Stockyards Act provides for a specified time after the posting of notice at the stockyard, for market agencies, dealers, and stockyard owners to register and qualify for the operation of their businesses under that act.

There appears to be no good reason to defer the effective date of the foregoing notice in view of that fact. Therefore, it is determined that good cause exists to make this notice, and it shall be, effective immediately, subject to the provisions of the Packers and Stockyards Act.

Done at Washington, D. C., this 21st day of October, 1947.

[SEAL] H. E. REED,
Director, Livestock Branch, Production and Marketing Administration, Department of Agriculture.

[F. R. Doc. 47-9548; Filed, Oct. 24, 1947; 8:46 a. m.]

[1] Filed as part of the original document.

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act have been issued to the firms hereinafter mentioned under section 14 of the act, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F. R. 2862, and as amended June 25, 1942, 7 F. R. 4725), and the determinations, orders and/or regulations hereinafter mentioned. The names and addresses of the firms to which certificates were issued, industry, products, number of learners, learner occupations, wage rates, learning periods, and effective and expiration dates of the certificates are as follows:

Independent Telephone Learner Regulations, July 17, 1944 (9 F. R. 7125): The special learner certificates issued to the following companies under the above regulations provide for the employment of learners in the occupation of commercial switchboard operator for a period not in excess of 480 hours at not less than 30 cents per hour for the first 320 hours and 35 cents per hour for the remaining 160 hours of the learning period. The number of learners authorized to be employed depends on the number of operators in the exchange, i. e., one learner if the exchange employs 8 operators or less, two learners if the exchange employs from 9 to 18 operators, etc. See regulations, Part 522, § 522.083.

National Trail Telephone Company, Altamont, Illinois; effective October 16, 1947, expiring October 15, 1948.

National Trail Telephone Company, St. Elmo, Illinois; effective October 16, 1947, expiring October 15, 1948.

Central Iowa Telephone Company, Belle Plaine, Iowa; effective October 12, 1947, expiring October 11, 1948.

Central Iowa Telephone Company, Williamsburg, Iowa; effective October 20, 1947, expiring October 19, 1948.

Montezuma Mutual Telephone Company, Montezuma, Iowa; effective October 10, 1947, expiring October 9, 1948.

Central Iowa Telephone Company, Buffalo Center, Iowa; effective November 1, 1947; expiring October 30, 1948.

Clarke County Telephone Company, Osceola, Iowa; effective October 6, 1947, expiring October 5, 1948.

Milan Telephone Company, Milan, Missouri; effective September 12, 1947, expiring September 11, 1948.

Regulations, Part 522, Regulations Applicable to the Employment of Learners:

Cantero Fernandez & Co., Inc., San Juan, Puerto Rico; to employ one (1) learner in the commercial printing industry in the occupation of pressman at a wage rate not less than 16 cents an hour for the first 460 hours; not less than 21 cents an hour for the second 460 hours; and not less than 26 cents an hour for the third 460 hours. This certificate is effective September 25, 1947 and expires September 24, 1948.

Imprenta Llovet, San Juan, Puerto Rico; to employ four (4) learners in the printing industry, as follows: one (1) learner as a linotypist and one (1) learner as a typesetter at not less than 16 cents an hour for the first 690 hours, not less than 21 cents an hour for the second 690 hours, and not less than 26 cents an hour for the third 690 hours; and two (2) learners as pressmen at not less than 16 cents an hour for the first 460 hours, not less than 21 cents an hour for the second 460 hours, and not less than 26 cents an hour for the third 460 hours. This certificate is effective September 9, 1947 and expires September 8, 1948.

Imprenta Radames Pena, Mayaguez, Puerto Rico; to employ four (4) learners in the printing industry, as follows: two (2) learners as typesetters at not less than 16 cents an hour for the first 690 hours, not less than 21 cents an hour for the second 690 hours, and not less than 26 cents an hour for the third 690 hours; and two (2) learners as pressmen at not less than 16 cents an hour for the first 460 hours, not less than 21 cents an hour for the second 460 hours, and not less than 26 cents an hour for the third 460 hours. This certificate is effective September 20, 1947 and expires September 19, 1948.

Imprenta Nadal, Mayaguez, Puerto Rico; to employ one (1) learner in the printing industry as a pressman at not less than 16 cents an hour for the first 460 hours, not less than 21 cents an hour for the second 460 hours, and not less than 26 cents an hour for the third 460 hours. This certificate is effective September 8, 1947 and expires September 7, 1948.

The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of the applicable determinations, orders and/or regulations cited above. These certificates have been issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of regulations, Part 522.

Signed at Washington, D. C. this 15th day of October 1947.

ISABEL FERGUSON,
Authorized Representative of the Administrator.

[F. R. Doc. 47-9520; Filed, Oct. 24, 1947; 8:46 a. m.]

HANDICAPPED CLIENTS EMPLOYMENT CERTIFICATES

ISSUANCE TO SHELTERED WORKSHOPS

Notice of issuance of special certificate for the employment of handicapped clients by sheltered workshop under the Fair Labor Standards Act of 1938, as amended, and the Walsh-Healey Public Contracts Act, as amended.

Notice is hereby given that a special certificate authorizing the employment of handicapped clients at hourly wage rates lower than the minimum wage rates applicable under section 6 of the Fair Labor Standards Act of 1938 and section 1 (b) of the Walsh-Healey Public Contracts Act has been issued to the sheltered workshop hereinafter mentioned, under section 14 of the Fair Labor Standards Act of 1938 (Sec. 14, 52 Stat. 1068; 29 U. S. C. 214) and Part 525 of the regulations issued thereunder (29 CFR, Cum. Supp., Part 525, amended 11 F. R. 9556), and under sections 4 and 6 of the Walsh-Healey Public Contracts Act (Secs. 4, 6, 49 Stat. 2038; 41 U. S. C. 38, 40) and Article 1102 of the regulations issued pursuant thereto (41 CFR, Cum. Supp., 201.1102).

The name and address of the sheltered workshop to which a certificate was issued, wage rate, and the effective and expiration dates of the certificate are as follows:

Cincinnati Goodwill Industries, Inc., 901 Freeman Street, Cincinnati, Ohio; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 20 cents per hour, whichever is higher; certificate is effective October 15, 1947, and expires October 15, 1948.

The employment of handicapped clients in the above-mentioned sheltered workshop under this certificate is limited to the terms and conditions therein contained and is subject to the provisions of Part 525 of the regulations. This certificate has been issued on the applicant's representation that it is a sheltered workshop as defined in the regulations and that special services are provided its handicapped clients. A sheltered workshop is defined as, "A charitable organization or institution conducted not for profit, but for the purpose of carrying out a recognized program of rehabilitation for individuals whose earning capacity is impaired by age or physical or mental deficiency or injury, and to provide such individuals with remunerative employment or other occupational rehabilitating activity of an educational or therapeutic nature."

The certificate may be cancelled in the manner provided by the regulations. Any person aggrieved by the issuance of this certificate may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER.

Signed at Washington, D. C., this 17th day of October 1947.

RAYMOND G. GARCEAU,
Director, Field Operations Branch.

[F. R. Doc. 47-9521; Filed, Oct. 24, 1947; 8:46 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 7575, 7722, 8491, 8492, 8561, 8562]

PANHANDLE BROADCASTING CORP. ET AL.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Panhandle Broadcasting Corporation, Amarillo, Texas, Docket No. 7575, File No. BP-4738; Jim Golding and Ben H. Guill, d/b as Voice of Amarillo, Amarillo, Texas, Docket No. 7722, File No. BP-4376; Southwestern Broadcasting Corporation (KOSA), Odessa, Texas, Docket No. 8491, File No. BP-6198; The Big Spring Herald Broadcasting Company (KBST), Big Spring, Texas, Docket No. 8492, File No. BP-6199; Forrest Weimhold, tr/as Herald Broadcasting Company, Levelland, Texas, Docket No. 8561, File No. BP-6237; W. E. Whitmore (KWEW), Hobbs, New Mexico, Docket No. 8562, File No. BP-6364; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 16th day of October 1947;

The Commission having under consideration the above-entitled applications requesting operation on the frequency 1230 kilocycles in the cities indicated, and also having under consideration a petition filed by the applicant Forrest Weimhold requesting that his above-entitled application be designated for hearing and after hearing be considered on a comparative basis with the above-entitled applications of Panhandle Broadcasting Corporation and Voice of Amarillo, each of which, as well as that of Forrest Weimhold, being contingent upon a grant of a pending application (File No. BP-4353, Docket No. 7559) requesting a permit to change the frequency of Station KFDA, Amarillo, Texas, from 1230 to 1440 kilocycles; and

It appearing, that, a hearing has been held on the applications of Voice of Amarillo and Panhandle Broadcasting Corporation and the record therein closed prior to the filing of the said application of Forrest Weimhold, and that upon motion of the participants in said hearing time for the filing of proposed findings of fact and conclusions of law was extended until twenty days after a final decision on the application to change the assignment of Station KFDA, upon which both applications were contingent; that, the holding of the consolidated proceeding involving the said applications of Voice of Amarillo and Panhandle Broadcasting Corporation was contrary to the practice of the Commission in its handling of contingent applications in that the application to change the assignment of Station KFDA is still pending; and that, the public interest would be best served by considering the said application of Forrest Weimhold for a new station in Levelland, Texas, on a comparative basis with the said applications of Voice of Amarillo and Panhandle Broadcasting Corporation, and that under the circumstances § 1.387 (b) (3) of the Commission's rules and regulations should be waived; and

It further appearing, that the petitioner, Forrest Weimhold, has agreed to accept the record heretofore made in the hearings upon the said applications of Panhandle Broadcasting Corporation and Voice of Amarillo insofar as a comparative consideration of the three applications is concerned; and

It further appearing, that the said application of Forrest Weimhold involves objectionable interference with the services proposed in the above-entitled application of W. E. Whitmore (KWEW) and that both applications involve objectionable interference with the services proposed by the Southwestern Broadcasting Corporation (KOSA) and The Big Spring Herald Broadcasting Company (KBST) whose applications have been designated for hearing in a consolidated proceeding and are scheduled to be heard at Big Spring and Odessa, respectively, commencing at Big Spring on October 30, 1947;

It is ordered, That the said petition of Forrest Weimhold be, and it is hereby, granted; that the said applications of Forrest Weimhold and W. E. Whitmore be, and they are hereby, designated for hearing; that the record in the said consolidated proceeding involving the said applications of Panhandle Broadcasting Corporation and Voice of Amarillo be, and it is hereby reopened; and that all of the above-entitled applications be, and they are hereby consolidated for hearing, or further hearing, in the proceeding involving the said applications of Southwestern Broadcasting Corporation and The Big Spring Herald Broadcasting Company heretofore scheduled to commence on October 30, 1947, at Big Spring, Texas;

It is further ordered, That the hearing upon the said applications of Forrest Weimhold be held on October 29, 1947, at Levelland, Texas, preceding the hearing heretofore scheduled on the applications of Southwestern Broadcasting Corporation and The Big Spring Herald Broadcasting Company; that the hearing on the said application of W. E. Whitmore be held at Hobbs, New Mexico, immediately following the said hearings at Big Spring and Odessa and that the hearings on both the said applications (Weimhold and Whitmore) be upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of Forrest Weimhold to construct and operate his proposed station and the technical, financial and other qualifications of W. E. Whitmore to construct and operate Station KWEW as proposed.

2. To determine the areas and populations which may be expected to gain primary service from the proposed operations and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the proposed operations, or either of them, would involve objectionable interference with Station KSWS, Roswell, New Mexico, or with any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the proposed operations would involve objectionable interference, each with the other, with the services proposed in the other pending applications in this proceeding, or with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the proposed installations and operations would be in compliance with the Commission's Rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

It is further ordered, That the Commission's orders of July 25, 1946, designating for hearing the said applications of Panhandle Broadcasting Corporation and Voice of Amarillo, and the Commission's order of August 21, 1947, designating for hearing the said applications of Southwestern Broadcasting Corporation and The Big Spring Herald Broadcasting Company be, and they are hereby, amended to include all of the other applications in this consolidated proceeding.

It is further ordered, That McEvoy Broadcasting Company, licensee of Station KSWS, Roswell, New Mexico, be and it is hereby made a party to this proceeding.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 47-9545; Filed, Oct. 24, 1947; 8:49 a. m.]

KOWL, SANTA MONICA, CALIF.

PUBLIC NOTICE CONCERNING PROPOSED ASSIGNMENT OF PERMIT [1]

The Commission hereby gives notice that on October 16, 1947 there was filed with it an application (BAP-68) for its consent under section 310 (b) of the Communications Act to the proposed assignment of permit of KOWL, Santa Monica, California from Arthur H. Croghan to KOWL, Inc., Santa Monica, California. The proposal to assign the permit arises out of a contract of October 14, 1947 between the licenses and the proposed assignee and is pursuant to arrangements entered into between said licensee and Gene Autry set forth in correspondence filed with the Commission July 25, 1947. Under the contract and arrangements the properties and facilities of the station would be assigned to assignee in return for which assignee would issue to Croghan all of its 1,000

[1] Section 1.321, Part I, rules of practice and procedure.

shares of common voting stock. Assignee would also assume existing obligations (presently in the approximate amount of $7,713.76), subject, however, to changes between the date of the contract and completion of assignment. Autry has heretofore loaned licensee $80,000 which would be liquidated by transfer to him of a 50% stock interest in the corporation. Further information as to the arrangements may be found with the application and associated papers which are on file at the offices of the Commission in Washington, D. C.

Pursuant to § 1.321 which sets out the procedure to be followed in such cases including the requirement for public notice concerning the filing of the application, the Commission was advised by applicant that starting on October 20, 1947 notice of the filing of the application would be inserted in the "Outlook", a newspaper of general circulation at Santa Monica, California in conformity with the above section.

In accordance with the procedure set out in said section, no action will be had upon the application for a period of 60 days from October 20, 1947 within which time other persons desiring to apply for the facilities involved may do so upon the same terms and conditions as set forth in the above described contract.

(Sec. 310 (b), 48 Stat. 1086; 47 U. S. C. 310 (b))

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-9546; Filed, Oct. 24, 1947; 8:50 a. m.]

YAQUINA RADIO, INC., STATION KNPT, NEWPORT, OREG.

PUBLIC NOTICE CONCERNING PROPOSED TRANSFER OF CONTROL [1]

The Commission hereby gives notice that on October 14, 1947 there was filed with it an application (BTC-578) for its consent under section 310 (b) of the Communications Act to the proposed transfer of control of Yaquina Radio, Inc., Station KNPT, Newport, Oregon from Carl Schindler, Jr. and the estate of Carl Schindler, Sr. to Thomas R. Becker, Coos Bay, Oregon, and Andrew H. Becker, Vancouver, Washington. The proposal to transfer control arises out of a contract of September 16, 1947 and action of the Board of Directors of licensee of August 2, 1947 pursuant to which Thomas R. Becker would succeed to the stock subscription of Carl Schindler, Jr. for 125 shares or 50% of the 250 shares of licensee presently subscribed; Andrew H. Becker would succeed to the stock subscription for 50 shares of licensee out of the subscription previously made by Carl Schindler, Sr. (now deceased); and Hal K. Shade would increase his stock subscription from 50 shares to 75 shares. These subscriptions would be entered at $100 par value per share and the only consideration in addition thereto would be $595 which would be paid to Carl Schindler, Jr. Further information as to the arrangements may be found with the application and associated papers which are on file at the offices of the Commission in Washington, D. C.

Pursuant to § 1.321 which sets out the procedure to be followed in such cases including the requirement for public notice concerning the filing of the application, the Commission was advised by applicant that starting on October 23, 1947 notice of the filing of the application would be inserted in the "Yaquina Bay News", a weekly newspaper of general circulation at Newport, Oregon, and the "Oregonian", a daily newspaper published at Portland, Oregon, in conformity with the above section.

In accordance with the procedure set out in said section, no action will be had upon the application for a period of 60 days from October 23, 1947 within which time other persons desiring to apply for the facilities involved may do so upon the same terms and conditions as set forth in the above described contract.

(Sec. 6, 54 Stat. 714, 55 Stat. 206, 56 Stat. 310 (b))

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-9547; Filed, Oct. 24, 1947; 8:50 a. m.]

[1] Section 1.321, Part I, rules of practice and procedure.

FEDERAL POWER COMMISSION

[Docket No. G-104]

EL PASO NATURAL GAS CO.

NOTICE OF APPLICATION

OCTOBER 21, 1947.

Notice is hereby given that on October 3, 1947, an application was filed with the Federal Power Commission by El Paso Natural Gas Company (Applicant), a Delaware corporation with its principal place of business in El Paso, Texas, for an order of the Commission pursuant to section 3 of the Natural Gas Act authorizing the continued exportation of gas for a period of fifteen years from June 8, 1947, from the State of Arizona to the Republic of Mexico for sale to Greene Cananea Copper Company, Cananea Sonora, Mexico.

Applicant states that the contract under which prior authorization to export natural gas to Mexico was permitted has been renewed for a period of fifteen years. It is represented that practically all of the gas to be exported is flare gas produced in the Permian Basin in Lea County, New Mexico, and in west Texas, which gas will be wasted unless exported to Mexico where it is urgently needed.

Any interested State Commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of rule 37 of the Commission's rules of practice and procedure (18 CFR 1.32) and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with reasons for such request.

The application of El Paso Natural Gas Company is on file with the Commission and is open to public inspection. Any person desiring to be heard or to make any protest with reference to the application shall file with the Federal Power Commission, Washington 25, D. C., not later than 15 days from the date of publication of this notice in the FEDERAL REGISTER, a petition to intervene or protest. Such petition or protest shall conform to the requirements of Rule 8 or 10, whichever is applicable, of the rules of practice and procedure (as amended on June 16, 1947) (18 CFR 1.8 or 1.10).

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 47-9532; Filed, Oct. 24, 1947; 8:46 a. m.]

[Project No. 1979]

WISCONSIN PUBLIC SERVICE CORP.

NOTICE OF APPLICATION FOR LICENSE (MAJOR)

OCTOBER 21, 1947.

Public notice is hereby given, pursuant to the provisions of the Federal Power Act (16 U. S. C. 791-825r), that Wisconsin Public Service Corporation, of Milwaukee, Wisconsin, has made application for license for constructed major Project No. 1979 (known as Alexander hydro project) on the Wisconsin River, in Lincoln County, Wisconsin, consisting of a dam about 40 feet high creating a reservoir with an area of approximately 803 acres; a powerhouse having installed capacity of 6,648 horsepower in three units of equal size; four transformers; and appurtenant works. The dam contains a concrete bulkhead section on the north bank of the river, a spillway section having 11 taintor gates, and a powerhouse section on the south bank from which a concrete retaining wall and an earth dike extend upstream.

Any protest against the approval of this application or request for hearing thereon, with the reasons for such protest or request and the name and address of the party or parties so protesting or requesting, should be submitted before December 12, 1947, to the Federal Power Commission, at Washington, D. C.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 47-9533; Filed, Oct. 24, 1947; 8:46 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-1622]

CENTRAL VERMONT PUBLIC SERVICE CORP.

ORDER PERMITTING APPLICATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pa., on the 20th day of October A. D. 1947.

Central Vermont Public Service Corporation, a public utility subsidiary of

New England Public Service Company, a registered holding company, having filed an application, and amendments thereto, pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935, requesting an exemption from the provisions of section 6 (a) of the act with respect to the issue and sale to the First National Bank of Boston, from time to time, of promissory notes in amounts aggregating not in excess of $2,600,000, said notes maturing two years from the date of the issue of the first note, and bearing interest at the rate of 3% per annum, and being secured by a second mortgage; and the proceeds from the sale of the notes being used, first, to repay The First National Bank of Boston sums already borrowed, and second, for the repair and replacement of the company's properties destroyed or damaged by a flood on June 3, 1947, and for the construction and acquisition of facilities essential in the conduct of the company's business; and

A public hearing having been held after appropriate notice and the Commission having considered the record and having made and filed its findings and opinion herein:

It is ordered, That said application, as amended, be and the same hereby is granted, to become effective forthwith, subject, however, to the terms and conditions contained in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 47-9523; Filed, Oct. 24, 1947; 8:46 a. m.]

[File No. 70-1626]

AMERICAN POWER AND LIGHT CO. ET AL.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Philadelphia, Pa., on the 20th day of October A. D. 1947.

In the matter of American Power & Light Company, Texas Utilities Company, Dallas Power & Light Company, File No. 70-1626.

American Power & Light Company ("American"), a registered holding company subsidiary of Electric Bond and Share Company, also a registered holding company, American's registered holding company subsidiary, Texas Utilities Company ("Texas Utilities"), and the latter's electric utility subsidiary, Dallas Power & Light Company ("Dallas"), having filed an application-declaration and amendment thereto pursuant to sections 6, 9, 12 (b) and 12 (f) of the Public Utility Holding Company Act of 1935 and Rule U-45 of the rules and regulations promulgated thereunder with respect to the following transactions:

American proposes to make temporary advances and/or continue temporary advances outstanding to Texas Utilities in amounts not exceeding in the aggregate $7,000,000. Texas Utilities proposes to borrow from time to time from American and/or banks an amount not in excess of a total of $7,000,000. Loans made by Texas Utilities from American and/or banks will be used by Texas Utilities to make contributions to the equities of Texas Power & Light Company ("Texas Power"), and Texas Electric Service Company ("Texas Service"), in the aggregate amount of $3,000,000 and to advance Dallas sums not to exceed $4,000,000 for use by that company in connection with its construction program. Under the proposed agreement, no loans will be made subsequent to June 30, 1948, and all such loans made will have a maturity of not later than September 30, 1948. Loans made by American and Texas Utilities will bear interest at the rate of 1¾% per annum.

It is proposed that Dallas will repay such borrowings as it shall make from Texas Utilities out of the proceeds of permanent financing which is contemplated by Dallas prior to September 30, 1948, and that at that time Texas Utilities will repay to American such sums as it receives in repayment from Dallas. In order to repay the $3,000,000 proposed to be borrowed from American and/or banks for the purpose of investment in the equities of Texas Power and Texas Service as heretofore described, Texas Utilities represents that it will sell common stock to the public either within 60 days, or as soon as practicable thereafter, following the sale or other disposition by American of more than 50% of the stock of Texas Utilities under American's plan or any amendment thereto (File No. 54-149) or under such other declaration as may be filed hereafter.

The loan agreements provide that the borrowing companies shall have the right at any time prior to the maturity date of the loans to repay all or any part of the sums borrowed and the lending companies shall have the right to call all or any part of the loans currently outstanding upon 90 days written notice.

With respect to the bank loans proposed to be made, the application-declaration provides that such bank loans will have a maturity not exceeding 90 days, and that in the event such borrowings from banks are made, an amendment to the present application-declaration will be filed stating the names of the bank or banks from which such borrowings are to be made, the terms thereof, the interest rate and maturity, and that such bank borrowings will become effective within 10 days of filing of such amendment in the event that no action is taken with respect thereto by the Commission within such 10-day period.

The declaration having been filed September 16, 1947 and an amendment thereto having been filed on October 3, 1947 and notice of said filing as amended having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act and the Commission not having received a request for hearing with respect to said application-declaration as amended within the period specified in said notice or otherwise and not having ordered a hearing thereon; and

The Commission finding with respect to the application-declaration as amended that the requirements of the applicable provisions of the act and rules thereunder are satisfied, that no adverse findings are necessary thereunder, and deeming it appropriate in the public interest and in the interest of investors and consumers that the said application-declaration as amended be granted and permitted to become effective, and deeming it appropriate to grant the request of applicants-declarants that the order become effective at the earliest date possible:

It is ordered, Pursuant to said Rule U-23 and the applicable provisions of said act and subject to the terms and conditions prescribed in Rule U-24 that said application-declaration, as amended, be, and the same hereby is, granted and permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 47-9526; Filed, Oct. 24, 1947; 8:47 a. m.]

[File Nos. 70-1628, 70-1629, 70-1632, 70-1636—70-1640]

MALDEN ELECTRIC CO. ET AL.

ORDER PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pa., on the 21st day of October A. D. 1947.

In the matter of Malden Electric Company, File No. 70-1628; Suburban Gas and Electric Company, File No. 70-1629; Lawrence Gas and Electric Company, File No. 70-1632; Eastern Massachusetts Electric Company, File No. 70-1636; Haverhill Electric Company, File No. 70-1637; Gloucester Electric Company, File No. 70-1638; Beverly Gas and Electric Company, File No. 70-1639; Salem Electric Lighting Company, File No. 70-1640.

Malden Electric Company (File No. 70-1628), Suburban Gas and Electric Company (File No. 70-1629), Lawrence Gas and Electric Company (File No. 70-1632), Eastern Massachusetts Electric Company (File No. 70-1636), Haverhill Electric Company (File No. 70-1637), Gloucester Electric Company (File No. 70-1638), Beverly Gas and Electric Company (File No. 70-1639), and Salem Electric Lighting Company (File No. 70-1640), all subsidiaries of New England Electric System, a registered holding company, having each filed a declaration, pursuant to section 7 of the Public Utility Holding Company Act of 1935, with regard to the following transactions:

Declarants propose the issuance and sale to a bank or banks, from time to time, of unsecured promissory notes, maturing not later than one year after issuance and bearing interest at a rate not in excess of 1¾% per annum, in the following aggregate principal amounts:

Malden Electric Co	$250,000
Suburban Gas & Electric Co	400,000
Lawrence Gas & Electric Co	750,000
Eastern Massachusetts Electric Co	625,000
Haverhill Electric Co	500,000
Gloucester Electric Co	250,000
Beverly Gas & Electric Co	275,000
Salem Electric Lighting Co	250,000

The proceeds from the sale of these notes will be used by declarants for construction costs already incurred and for reimbursement of the treasury and for construction costs which it is estimated will be incurred prior to June 30, 1948; and

Declarants having stated that no state commission, or other Federal commission, has jurisdiction over the proposed transactions; and

Declarants having requested that the Commission's order permitting the declarations to become effective be issued within 30 days after the filing thereof and that said order become effective forthwith; and

Said declarations having been variously filed on September 17, 19 and 25, 1947 and notice of said filings and order consolidating the proceedings having been duly given in the form and manner prescribed by Rule U-23 promulated pursuant to said act, and the Commission not having received a request for hearing with respect to any of said declarations within the period specified in said notice, or otherwise, and the Commission not having ordered a hearing thereon; and

The Commission finding with respect to said declarations that the requirements of the applicable provisions of the act and rules and regulations thereunder are satisfied and that no adverse findings are necessary thereunder, and deeming it appropriate in the public interest and in the interest of investors and consumers that said declarations be permitted to become effective;

It is hereby ordered, pursuant to Rule U-23 and the applicable provisions of said act, and subject to the terms and conditions prescribed in Rule U-24 that said declarations be, and the same hereby are, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 47-9524; Filed, Oct. 24, 1947; 8:46 a. m.]

[File No. 70-1634]

NORTHERN STATES POWER CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pa., on the 21st day of October A. D. 1947.

Northern States Power Company, a Minnesota corporation, and a registered holding company, having filed a declaration pursuant to sections 6 and 7 of the Public Utility Holding Company Act of 1935 with respect to the following transactions:

Northern States Power Company proposes to enter into an agreement with certain banks whereby such banks severally agree to make loans on or before October 31, 1947 to Northern States Power Company aggregating $12,000,000 at the rate of 1½% per annum, such loans to be evidenced by certain promissory notes to be dated as of the date of said loans and to be payable on or before the expiration of one year from the date of said loans respectively. The stated purpose of the proposed loans is to provide funds to improve the current position of Northern States Power Company as at December 31, 1947.

Northern States Power Company has requested that the Commission issue its order herein as soon as possible so that the company may be in position to complete such transactions at the earliest possible date, and that such order be effective upon issuance.

The declaration having been filed September 22, 1947, and amendment thereto having been filed September 23, 1947, and notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said declaration, as amended, within the period specified within said notice or otherwise and not having ordered a hearing therein; and

The Commission finding with respect to said declaration as amended that the requirements of the applicable provisions of the Act and the Rules thereunder are satisfied and deeming it appropriate in the public interest and in the interest of investors and consumers that said declaration, as amended, be permitted to become effective:

It is ordered, Pursuant to said Rule U-23 and the applicable provisions of said act and subject to the terms and conditions prescribed in Rule U-23, that said declaration be, and the same hereby is permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 47-9522; Filed, Oct. 24, 1947; 8:46 a. m.]

[File No. 70-1635]

INDIANA SERVICE CORP.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pa., on the 20th day of October A. D. 1947.

Indiana Service Corporation ("Indiana"), a subsidiary of American Gas and Electric Company ("American Gas"), a registered holding company, having filed an application-declaration and amendment thereto pursuant to sections 6, 7 and 12 (c) of the Public Utility Holding Company Act of 1935 and Rule U-42 of the rules and regulations promulgated thereunder with respect to the following transactions:

Indiana has entered into a credit agreement whereby it will borrow from the banks shown below in the respective amounts indicated $5,000,000 on or before January 2, 1948 and an additional $5,000,000 on or before February 2, 1948. The names of the banks and the amounts proposed to be borrowed from such banks are as follows:

Name of Bank	*Amount*
Irving Trust Co.	$4,000,000
Guaranty Trust Co. of New York	4,000,000
Central Hanover Bank & Trust Co.	2,000,000
	10,000,000

The proposed loans will be evidenced by promissory notes maturing December 31, 1950 and are to bear interest from their respective issue dates at the rate of 1¾% per annum. The agreement provides also that Indiana may repay the notes from time to time in whole, or ratably in part, on 10 days' notice to the banks. If prepayments are made from monies borrowed at a lower rate of interest, Indiana will also pay to each bank an amount equal to ¼ of 1% of the amount being prepaid to it for each year or portion of a year from the date of prepayment to December 31, 1950.

It is stated that the proceeds from the proposed loans together with approximately $1,900,000 in cash from Indiana's general corporate funds will be used (a) to redeem and cancel Indiana's outstanding First and Refunding Mortgage 5% Gold Bonds, Series A, due 1950 in the aggregate principal amount of $6,656,500, which Indiana proposes to call for redemption on January 1, 1948, at the redemption price of 102½% of principal amount plus accrued interest to the date of redemption, and (b) to redeem and cancel Indiana's outstanding First Lien and Refunding Mortgage 5% Gold Bonds, Series A, due 1963, which Indiana proposes to call for redemption on February 1, 1948, in the aggregate principal amount of $4,925,900 at the redemption price of 103% of principal amount plus accrued interest thereon to the date of redemption. Indiana proposes to give notice of redemption of its 1950 bonds not later than November 1, 1947. In this connection the credit agreement provides that Indiana will pay to each of the banks within 5 days after it shall have given the first notice of redemption of its 1950 bonds a comitment fee of ⅛ of 1% of the aggregate amount which such banks are obligated to lend to Indiana.

The refinancing of the Mortgage bonds through the medium of bank loans is stated to be a temporary expedient prior to the merger of Indiana into Indiana & Michigan Electric Company ("Indiana & Michigan"), also a subsidiary of American Gas, as proposed in the application of American Gas for approval of the purchase of the common stock of Indiana (File Nos. 70-1178, 54-137 and 59-58). The application-declaration also states that while the ratio of notes payable to total capitalization is high, Indiana has been informed by American Gas that at such time as Indiana is merged with Indiana & Michigan, the resulting ratio of funded debt to total capitalization of the merged company will be improved.

The applicant-declarant proposes that the unamortized debt discount and expense and the call premiums allocable to the bonds to be redeemed be amortized over a three year period.

The proposed transactions have been approved by the Public Service Commission of the State of Indiana, the state in which Indiana is organized and is doing business.

The application-declaration having been filed on September 24, 1947 and an amendment thereto having been filed on October 16, 1947 and notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act and the Commission not having received a request for hearing with respect to said application-declaration, as amended, within the period specified in said notice or otherwise and not having ordered a hearing thereon; and

The Commission finding with respect to the application-declaration, as amended, that the requirements of the applicable provisions of the act and rules thereunder are satisfied, that no adverse findings are necessary thereunder, and deeming it appropriate in the public interest and in the interest of investors and consumers that the said application-declaration as amended be granted and permitted to become effective and deeming it appropriate to grant the request of applicant-declarant that the order become effective at the earliest date possible:

It is ordered, Pursuant to said Rule U-23 and the applicable provisions of said act and subject to the terms and conditions prescribed in Rule U-24 that said application-declaration, as amended, be, and the same hereby is, granted and permitted to become effective forthwith, our order herein being without prejudice to the jurisdiction of the Federal Power Commission with respect to the proposed accounting entries.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 47-9525; Filed, Oct. 24, 1947; 8:47 a. m.]